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PRESERVATION AND PROTECTION OF THE POTOMAC RIVER SHORELINE

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HEARING

BEFORE THE

SUBCOMMITTEE ON PARKS, RECREATION, AND RENEWABLE RESOURCES

OF THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

NINETY-SIXTH CONGRESS

SECOND SESSION

ON

S. 1495

A BILL TO ACQUIRE CERTAIN LANDS SO AS TO ASSURE THE PRESERVATION AND PROTECTION OF THE POTOMAC RIVER SHORELINE

MARCH 3, 1980

Publication No. 96-108

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CONTENTS

S. 1495 ..... Page 3

STATEMENTS

Blackwelder, Dr. Brent, Washington representative, environmental Policy Center 49, 50
Brown, J. Carter, Chairman, D.C. Fine Arts Commission, accompanied by Charles Atherton 35
Childs, David, Chairman, National Capital Planning Commission, accompanied by George Oberlander, Assistant Executive Director; Dan Shear, General Counsel; and Martin Rody, Director, Technical Services and Special Studies 27
Conrad, David, assisant director, American Rivers Conservation Council 46, 47
Frome, Dr. Michael, author, Citizen/Conservationist 41
Gibson, James O., Assistant City Administrator for Planning and Development, District of Columbia; accompanied by Alfredo Etchevarria 8
Hatfield, Hon. Mark O., a U.S. Senator from the State of Oregon 1
Mason, Hon. Hilda Howland M., Councilwoman, District of Columbia 17
Miller, Herbert S., president, Georgetown Harbor Associates, accompanied by Bill Turner, project manager, Western Development Corp. and Georgetown Harbor Associates 37
Poor, Charles 58
Ray, Hon. John, Councilman, District of Columbia 16
Rowe, Elizabeth, representing the Committee of 100 on the Federal City 53
Scott, Everett, president, D.C. Federation of Civic Associations 57
Stark, Hon. Fortney H. (Pete), Jr., a U.S. Representative from the State of California 7
Stevens, Lawrence N., environmental consultant, National Recreation and Parks Association 43
Sullivan, Katharine, advisory neighborhood commissioner for Georgetown and chairman, Committee To Preserve Washington's Riverfront Parks 55, 56
Sussman, Michael, businessman, Georgetown 61
Whalen, Hon. William J., Director, National Park Service, Department of the Interior, accompanied by Jack Fish, Regional Director, National Capital Region; and John Parsons 18

ADDITIONAL MATERIAL

Fauntroy, Hon. Walter E., Delegate, House of Representatives, letter dated March 3, 1980, to Senator Dale Bumpers 6

APPENDIX

Additional material submitted for the record 63

PRESERVATION AND PROTECTION OF THE POTOMAC RIVER SHORELINE

MONDAY, MARCH 3, 1980

U.S. SENATE,
SUBCOMMITTEE ON PARKS,
RECREATION, AND RENEWABLE RESOURCES,
OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 3110, Dirksen Office Building, Hon. Mark O. Hatfield, presiding.

Present: Senator Hatfield.

Also present: Thomas B. Williams, professional staff member, and Tony Bevinetto, professional staff member for the minority.

OPENING STATEMENT OF HON. MARK O. HATFIELD, A U.S. SENATOR FROM THE STATE OF OREGON

Senator HATFIELD. The purpose of today's hearing is to receive testimony related to S. 1495, a bill to transfer to the United States the title to 6 acres of land along the Potomac River at the Georgetown waterfront for the purpose of developing it, along with the adjacent shoreline, into a national park.

I believe that everyone who has seen the waterfront in its present condition would agree that it is a disgrace. Today it is filled with a conglomeration of parking facilities, smokestacks, and garbage trucks. And yet, the Georgetown waterfront, stretching from Key Bridge to Rock Creek, commands one of the most scenic vistas on the entire Potomac River. There is no disagreement about the need for a revitalization of the waterfront.

The critical question is, How will it change? Creation of a park along the 20-acre waterfront site has been blocked because the six privately owned acres of land in the area present an attractive investment opportunity if they were to be developed.

It seems to me that for a short while, everyone involved in the planning of parks and recreation areas in the National Capital region lost all sense of vision when it came to the Georgetown waterfront area. Everyone simply gave up on attempts to create a continuous, total park along the entire shoreline of the Potomac River within the District of Columbia.

Federal planning guidelines, water management policies, national interests and the needs of the citizens of the city were all pushed to the background for a time by the enticements of residential and commercial development along the river. It does not appear that any thought was given to whether or not the Congress might see fit to assist in protecting the area.

For these reasons, I introduced S. 1495. The legislation is a vehicle intended to give all the people and agencies involved in planning for the future of this important area the time necessary to think through all of the issues involved. It is meant to raise our sights a little higher, to enable us to consider all the options available rather than only the least offensive ones.

I hope that during the hearing today, the witnesses will be able to address issues such as: the need for recreation areas in the city, the true costs involved in development proposals, the implications of the site's location in a flood plain, the steps which led to consideration of a mixed park and residential-commercial development, other options for the transfer of land, and the beneficiaries of various development plans.

These are only a few of the items for consideration and I look forward to receiving input from the several informed and concerned individuals who are here. Because there are a number of witnesses I would like to request that your testimony be as brief as possible and that longer statements be inserted into the hearing record, if desired.

I will place in the record at this point the bill I introduced and which is before us today.

[The text of S. 1495 follows:]

II

96TH CONGRESS
1ST SESSION

S. 1495

To acquire certain lands so as to assure the preservation and protection of the Potomac River shoreline.

IN THE SENATE OF THE UNITED STATES

JULY 12 (legislative day, JUNE 21), 1979

Mr. HATFIELD introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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A BILL

To acquire certain lands so as to assure the preservation and protection of the Potomac River shoreline.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) effective on the date of the enactment of this Act, there is hereby vested in the United States all right, title, and interest in, and the right to immediate possession of, all of the following described lands and improvements comprising that area within the District of Columbia which is generally bounded on the north by K Street, on the east by Rock

Creek, on the south by the Potomac River, and on the west by a line four hundred feet west of Key Bridge.

(b) Such area shall be administered by the Secretary of the Interior in a manner so as to assure the preservation and protection of the Potomac River shoreline and for recreational and other compatible purposes. The Secretary shall promulgate such regulations as may be necessary to carry out the provisions of this Act.

(c) Any action against the United States for the recovery of just compensation for the lands and improvements herein taken by the United States shall be brought in the United States district court for the district where the land is located without regard to the amount claimed. Just compensation shall be determined as of July 12, 1979. The United States may initiate proceedings at any time seeking a determination of just compensation in the district court in the manner provided by sections 1358 and 1403 of title 28, United States Code, and may deposit in the registry of the court the estimated just compensation, or a part thereof, in accordance with the procedure generally described by section 258a of title 40, United States Code. Interest shall not be allowed on such amounts as shall have been paid into the court. In the event that the Secretary determines that the fee simple title to any property (real or personal) taken under this section is not necessary for the purposes of this Act, he

may revest title to such property subject to such reservations, terms, and conditions, if any, as he deems appropriate to carry out the purposes of this Act, and may compensate the former owner for no more than the fair market value of the rights so reserved, except that the Secretary may not revest title to any property for which just compensation has been paid.

SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

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Senator HATFIELD. First of all, we have a written statement from Delegate Walter Fauntroy, addressed to the chairman of the subcommittee, Dale Bumpers.

I will ask unanimous consent to place the letter in the record.

[The letter follows:]

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 3, 1980

Hon. DALE BUMPERS,
Chairman, Subcommittee on Parks, Recreation, and Renewable Resources, Senate Committee on Energy and Natural Resources, Washington, D.C.

DEAR MR. CHAIRMAN: As you begin your hearings on a proposal that would authorize the acquisition of certain lands situated near Georgetown and adjacent to its waterfront, I want to share with you several of my concerns.

In 1974, the Zoning Commission for the District of Columbia issued a new zoning map for that section of Georgetown below M Street. It eliminated the industrialized zones and created a new "W"—waterfront—zone that allowed mixed uses of commercial and residential at reduced heights and densities over what had been previously allowed. That zoning scheme, which was challenged in Court, has been upheld as a proper decision of the local government;.

In 1975, the National Capital Planning Commission recommended a mixed use proposal that was endorsed by at least some citizens of Georgetown. Subsequent to that plan, in 1976, other citizens proposed, instead, the land be reserved for a part of the National Capital Park System. It was not until 1978 that Senator Mathias introduced legislation which would accomplish that goal as part of a broader package.

Under the guidance of Senator Mathias, a Task Force was created that involved the government of the District of Columbia, the federal interest, and the citizens of the city. The Task Force recommended a proposal for a mixed use development that would provide substantial parklands at no additional costs to the federal government or the District of Columbia. That proposal has been endorsed by the city. Unless the Congress and the Administration is prepared to move expeditiously and apply a priority to the project as a recipient of funds for acquisition, development, maintenance, while developing a scheme to compensate the city for its losses—including future tax and revenue losses—it would appear to me that the city should be allowed to proceed as it planned.

This city's administration must take aggressive action to bolster its revenue and employment resources. It must, additionally, respond as fully as possible to its citizens. In insisting upon substantial parklands, the city has sought to accomplish both of these objectives though perhaps not as fully as each party might like. The city did not have a choice. It has been advised—as have I—that neither the Congress nor the Administration would give favorable consideration to an expenditure of nearly $30 million or more for a park on this site especially if the majority of the objectives could be accomplished at no cost. At a time when 43 Senators have indicated by Resolution that they will balance the Fiscal Year 1981 budget, when housing and community development funds have been severely cut, I have to believe those statements.

In addition to these matters, I must express my deep concern over the involvement of this Committee into the affairs of the District of Columbia and into what is fundamentally a local Home Rule matter. The District of Columbia Self-Government and Governmental Reorginization Act provides more than adequate mechanisms for these decisions to be made and challenged and for the elected government of the District of Columbia to request that the Administration and the Congress create—if the elected officials decide to do so—a park. I would ask, therefroe, that you and your colleagues defer to the judgment of these elected officials in this matter. There is no overriding federal interest that is adversely affected which is the test legislative committees on District of Columbia matters have used in determining whether or not to override the city's judgment in any matter.

Knowledge that Congress is concerned over the use of this land has already assured that many of the objectives that my friends Senator Hatfield and Senator Mathias and others have will be met without costs to the governmen: while creating a solid economic base this city so desperately needs. To these Senators all of the citizens are thankful. However, more than 30 years have lapsed since the use of this land was first debated. It is important that this issue be put to rest and the city allowed to go onto othr projects which desperately need attention and resources. I

would hope and ask, therefore, that you will accede to the requests to the city and its elected officials.

Sincerely yours,

WALTER E. FAUNTROY.

Senator HATFIELD. We have an interest in this matter expressed by Congressman Fortney H. (Pete) Stark, Chairman of the Metropolitan Affairs Subcommittee of the House District of Columbia Committee, and we will place his statement in the record at this time.

[The prepared statement of Congressman Stark follows:]

STATEMENT OF HON. FORTNEY H. (PETE) STARK, JR., A U.S. REPRESENTATIVE FROM THE STATE OF CALIFORNIA

Mr. Chairman, I am glad to be able to share my thoughts with you today on what the Congress ought to be concerned with when it comes to the future of the embattled Georgetown Waterfront.

Most of the questions regarding the waterfront cannot be conclusively answered or resolved until the final Environmental Impact Statement (EIS) ordered by the National Capital Planning Commission has been completed. I think it is important to realize, however, what a significant step that EIS is—several months ago when this memorandum of agreement was rolling along the way to implementation, it took direct intercession from concerned members of Congress and the public before the process clearly delineated by the National Environmental Protection Act was followed.

While that process takes its course, I think the Congress owes it to all interested parties to attempt to prepare for the possibility that the acreage along the waterfront—which is beyond any doubt squarely in a 100-year floodplain—will be determined unsuitable for any development, either commercial or residential.

The interpretation of environmental law is not my strong suit as I am not an attorney and my daily concerns on the House Ways and Means Committee are more likely to be about floating bonds and liquid assets than floodplain determinations.

I am told, however, from people I consider to be experts in these matters that the decision about the future use of the Georgetown Waterfront will be the first major test of this Administration's interpretation of this President's Executive Order No. 11988, issued May 24, 1977, on Floodplain Management.

No matter what the relevant arguments may be concerning revenue potential for the District at that site or the natural use of this acreage to complete the Potomac shoreline park from Haines Point to Cumberland, Maryland as well as possible future use of the site for a national memorial—it must be the Congress' responsibility to insure that federal laws, executive orders and agency guidelines are not violated. It is equally important to prevent an unwise precedent to be set, particularly here in the nation's capital, which could permanently dilute the effectiveness of Executive Order 11988 and set back the sensible, prudent floodplain policy adopted by this Administration.

In the event the land is condemned for environmental reasons, the $20–30 million figure being offered by the District as the cost of compensation for the land under the legislative taking envisioned in S. 1495 seems irrelevant. The more logical solution would be to arrange with the federal government for appropriate tax incentives and considerations in return for transfer of the property to the National Park Service by the owners. You have my assurance that I would explore every possible avenue to accomplish this should the land be prevented from development for environmental reasons.

Senator HATFIELD. The first witness I would like to call is Mr. James Gibson, the assistant city administrator for the District of Columbia. We are very honored to have you here this morning, Mr. Gibson. Your entire statement which we have will be placed in the record and you may highlight, summarize, read it, or handle it in any way you wish.

Please carry my warmest regards to the Mayor.

STATEMENT OF JAMES O. GIBSON, ASSISTANT CITY ADMINISTRATOR FOR PLANNING AND DEVELOPMENT, DISTRICT OF COLUMBIA; ACCOMPANIED BY ALFREDO ETCHEVARRIA

Mr. GIBSON. I have with me Alfredo Etchevarria, in charge of our division in the Planning Office of the District, who has responsibility for this matter.

Good morning, Mr. Chairman, other members of the committee. I am pleased on behalf of the Mayor, to discuss with you planning for the Georgetown waterfront, which we all agree is presently an eyesore and in dire need for beautification.

The city government has been working with Senator Mathias, the Secretary of Interior, Mr. Andrus, the National Capital Planning Commission, the National Capitol Region of the Federal Parks Service and with local citizens to bring an end to the present blight at this river entrance to the Nation's Capital.

There is strong sentiment among some of our citizens to make the entire area between Rock Creek Park and Key Bridge and between K Street and the Potomac River into a park. At the same time, there are corporate property owners on the waterfront who have development rights which they intend to exercise.

As you know, a long court fight followed rezoning, in the early seventies, of the waterfront. The result of that litigation was, in essence, to affirm the rights of the property owners to develop the land they hold.

The major issue before the city is how to be responsive to our citizens and be, at the same time, fiscally responsible and fully supportive of the Federal interest.

I have counted nearly 30 studies, analyses, proposals, legislative initiatives, major zoning actions, and court proceedings since 1961 concerning the Georgetown waterfront.

Literally hundreds of thousands of dollars—certainly well over $1 million—have then been expended, with untold thousands of hours of professional and citizen time concentrated on this area—and to date to no avail.

The waterfront is today still severely blighted, fiscally underproductive and an embarrassment to our beautiful city. During all these years no effective concensus has been developed to encompass the myriad interests focused on this area.

Indeed, this small plot of a few acres stands as an ugly monument to the Washington development thicket at its worst—to the diffusion of decisionmakers, regulators, intervenors, reviewers, and predicators whose end product to date is an industrial backwash which denies to the citizens of Washington and the Nation a sorely needed solution to this indefensible eyesore and esthetic wasteland.

Through the task force created at the behest of Senator Mathias in 1978, the city government and its citizens have been working with those Federal agencies which have responsibility for planning and parks development to create a park for the waterfront area.

Our aim has been to preserve and protect the Potomac River shoreline and to provide for recreational and other compatible uses. We want, however, to do this in a manner that is fiscally responsible, environmentally sound, and responsive to the needs of the citizens of the District of Columbia.

Among the assumptions guiding our efforts have been:

First, that no Federal funds are available for the purchase of private property rights on the waterfront—estimated to require more than $25,000,000.

Second, no city funds are available for such a purchase.

Third, that the private property owners intend to implement their development rights.

And fourth, although not least in our consideration, that the waterfront should not remain as it is.

Our assessment is that we have essentially four options:

One, we can do nothing. The waterfront would remain as is, a blighted industrial area that contributes little to the city or its people.

Two, we can allow matter-of-right development—with a height, down to the water's edge of up to 90 feet, a floor area ratio of 6 with 5 going to commercial development.

Three, we can negotiate a framework for a park and controlled development—limiting height and bulk preserving water frontage for a park and increasing residential uses.

Or, four, we can acquire all the land for a total park presence on the waterfront.

Let me say unequivocably, Mr. Chairman, that Mayor Barry strongly prefers a total park on the waterfront. It would satisfy strong citizen interest and present a dramatic river entrance to Washington from the west.

However, Federal representatives have made it clear that Federal funds are not available for the purchase of land.

Thus, our efforts in the task force have been directed to achieving a negotiated agreement by which the waterfront becomes primarily park, height and bulk are held below full development rights, commercial uses are subordinated to residential uses and Federal and District funds are not required for land acquisition.

This, in fact, is what was achieved in the agreement signed last July by the city, the Department of Interior, Senator Mathias, the Chairman of the National Capital Planning Commission, and the private property owners.

Since that time, a first effort to render a design in compliance with last summer's agreement has been reviewed by the Fine Arts Commission. Major revisions are currently being made in response to criticisms of the design by the Commission.

Review of this revised design is scheduled for later this month. In addition, the National Parks Service and the National Capital Planning Commission are currently conducting an environmental impact statement on the agreement.

There remains public hearings to be held by the City Council of the District concerning prospective street and alley closings and transfer of land.

While the city is not in a position at this time to forgo lightly revenue generated from responsible development, Mayor Barry has said that citizen desires and the bona fide Federal interest are to take priority on the waterfront.

In other words, while the development resulting from the task force agreement would bring parkland at no public expense and would return between $4,500,000 to $5,500,000 annually to the city, Mayor Barry is prepared to both support and laud the initiatives of

Senator Hatfield if a total park on the waterfront can be achieved—so special and unique in this site.

The problem is, of course, that the city and the citizens are placed in something of a quandary. Who, in this instance, speaks for the Federal interest?

Is it the Department of the Interior and the Parks Service?

Is it Senator Mathias?

Is it Senator Hatfield?

What guidance can we obtain?

Was the negotiated agreement a creative and responsible achievement to provide for a park, limit development and save scarce public dollars?

Or was it a waste of time, generating unneeded tension among citizens, waste effort by the property owners and misplaced resources by our staff?

The District's approach has sought to be realistic and responsible. We remain ready for action. Time and planning resources should not be wasted. Being left to choose between the waterfront remaining "as is" or being developed to full matter-of-right under zoning are clearly not acceptable alternatives.

If Federal funds will be made available to acquire the waterfront, it should be done swiftly. There clearly is a pertinent home rule issue here when the complex and contradictory Federal involvements in the city's fiscal affairs both dampen prospects to proceed with responsible revenue-generating development that also achieves clear public purposes, and at the same time sustains pressure on the city to meet rising costs with a reduced Federal payment, charter limitations on taxing authority, and the imposition of expensive, dead end planning exercises.

While I reiterate, Mr. Chairman, the willingness of the Mayor to provide genuine support for the achievement of a total park on the waterfront, frankly, we are concerned by the prospect of such diffusion in the delineation of the Federal interest that no constructive progress can yet be made on this site so vital to both Federal and local interest.

Thank you. That concludes my formal statement, Mr. Chairman. I am prepared to answer any questions you might have.

Senator HATFIELD. Thank you very much, Mr. Gibson. You have presented us with some very excellent testimony and I can appreciate the concern of the District government in being able to plan and project ahead on the basis of some kind of stable and clear-cut Federal policy that naturally will be involved in any plan of the District.

Mr. Gibson, you have alluded to the revenues that could be acquired from development. Do you have the current tax revenues received by the city from the property taxes on these six acres?

Mr. GIBSON. I do not have that. We can provide that to you.

Senator HATFIELD. Good. And perhaps along with that, if you do not have the information with you, you could provide the projected tax revenues assuming development as outlined in the memorandum of agreement reached in July 1979 and an analysis of how those figures were developed.

Mr. GIBSON. Yes, I can, Mr. Chairman. I can review those quickly for you now.

The task force agreement would encompass approximately 700,000 square feet of development. It would provide a 164-foot strip along the Potomac which would be dedicated to park in perpetuity.

It would provide a minimum of $4 million a year in revenues, which are divided roughly between a $1.3 million in real estate taxes, income taxes, $1.9 million, sales taxes, and a minimum of $600,000 and miscellaneous taxes of approximately $100,000 minimum.

It would, in addition, provide approximately 1,175 jobs, 350 dwelling units, and a residential population in that site of 665 people.

It would involve a minimal increase in public services offset by tax generation inasmuch as most of the infrastructural preparation necessary in that site would be undertaken by the developer.

I have a comparison with the matter of right figures which current zoning would permit and the prospects of revenue generation from that for your comparison.

I can leave those with you. It is a rather crude sketch. I can perfect that and send it to your staff later.

Senator HATFIELD. All right.

Mr. Gibson, do you collect real estate taxes from foreign chancelleries or residences?

Mr. GIBSON. Not from embassies and not from chancelleries.

Senator HATFIELD. There are a number of these in the Watergate, are there not?

Mr. GIBSON. In instances where they lease taxable property we receive the revenues. Where they are directly owned by the foreign government or run by a not-for-profit or nontaxable institution of that foreign government, we do not collect taxes.

Senator HATFIELD. If foreign governments found this proposed development attractive for purchase of residences or chancelleries or the like—if this development were organized in a way whereby units could be purchased outright, then we could deduct conceivably some of those projected revenues from your anticipated tax base; couldn't we?

Mr. GIBSON. Yes. It would.

Senator HATFIELD. What are the projected costs of city services assuming, No. 1, no action, No. 2, development, and No. 3, all park?

Mr. GIBSON. We would assume that for the all park the public service requirements would be borne by the National Park Service, and so that would be essentially no cost to the city.

I had outlined to you the approximate income from development proceeding under the task force agreement, and we anticipate a minimal increase in the cost of public services. I can outline to you the categories that we consider and at this stage, while we have not made a definitive analysis, we can anticipate relatively minimal costs in these areas.

With respect to the normal city services that would entail costs, there is trash collection, for instance. Private trash haulers would be utilized by the development and thus there would be no cost to the city for that.

There would be police costs, undetermined. There may be some need for additional patrols due to the presence of the uses of developing on the waterfront.

Likewise, with respect to fire, some increase in the need for protection. Both of those are undetermined at this time.

With respect to schools, again, an underdetermined cost until the residential component and the resultant population mix becomes clearer. Schools in that area have been somewhat underutilized in the past so we do not expect extraordinary costs over current expenditures with respect to schools.

Water and sewer would reflect no increased costs to the city as they are defrayed by user fees. No extra expense with respect to roads. The developer would provide roads and street and alley cleaning. There would be no landscaping costs to the District as that would be provided by the developer.

In terms of social services, we assume from the market rate character of the anticipated population, no increase in the cost of services with regard to social service needs.

Likewise, we feel that health cost increases would be minimum at best. There may indeed be some increase in library utilization, depending on the population mix. It would not be large in scale and we do not believe that it would necessarily show as a determinable cost.

There would be an increased cost in the assessment activity, so finance and revenue would pick up extra cost small in scale.

We do not anticipate general services needs provided by the city. With respect to mass transit, we think it would assist the increase of revenues because of its close-in location and additional utilization of the mass transit system.

Those are the typical categories that we would be making assessments on as the specifics arise about population mix, but I think as you can determine here, costs to the city are anticipated to be minimum.

Senator HATFIELD. Mr. Gibson, would you not agree that at the present time this is a high-density population area within the city?

Mr. GIBSON. Georgetown is indeed a high-density population area, yes.

Senator HATFIELD. I have read in the newspapers that as a result of the construction now underway, or just recently completed, like the new Four Seasons Hotel, that because of the new hotels, condominiums, apartments, offices, et cetera, there will be an additional 10,000 people brought into that Georgetown area.

Is that an accurate estimate of the effect of the construction that is now underway or just recently completed?

Mr. GIBSON. I can't speak to the validity of that particular figure.

Senator HATFIELD. Could you make an estimate from your agency, the District government, for the record, and provide us with that information?

Mr. GIBSON. We will do that, sir.

Senator HATFIELD. Has there been any consideration in this task force review of the possibility of land exchange or donation to achieve the all park solution to this waterfront?

Mr. GIBSON. Yes, there has, rather extensively. During the period the task force was already created and functioning I joined the city government and undertook the responsibilities to represent the city on the task force. Since I have been active last January with the task force, there was an exploration undertaken by Senator

Mathias with the concurrence and review and assistance of other members of the task force with the private property owners to see if there could be arranged some transfer to Federal ownership of lands in whole or in part which they had there on the waterfront, and that was unsuccessful, including efforts the Senator made up through the corporate level nationally to get some participation.

The city agreed within the task force agreement to transfer its holdings on the waterfront to the Park Service, and they are substantial.

They represent substantial acreage of the total involved, and they have been held since a decade or more ago, when it was expected that the waterfront would have afreeway across there, and the land was purchased for that reason.

So the city has agreed to transfer that to the Park Service in order to make up an all park.

Senator HATFIELD. What is holding up that transfer, Mr. Gibson?

Mr. GIBSON. The transfers of jurisdiction were delineated in the agreement, the task force agreement, and we have been proceeding toward those. I requested the City Council to schedule hearings on this for December or early January, and then subsequently asked them to withdraw that from the schedule, so that the environmental impact statement and other Federal procedures could go along.

There had been, as you recall, a review by the Fine Arts Commission which found deficiencies in the initially proposed design, and it is anticipated that the environmental impact process will take some additional months from now, so that we are not at this point scheduling the City Council hearings that would include the transfer of lands in this process.

Senator HATFIELD. Have you any professional estimate or judgment to render on the point of, say, a larger, more useful project along these lines that could be accomplished in other parts of the city for the same amount, or for a less amount, in place of that which is being contemplated on the Georgetown waterfront?

Have you made any kind of comparative analysis of what could be achieved elsewhere in the city, a group that wanted to make a development of this type?

Mr. GIBSON. I have, Senator, and I find the Georgetown waterfront obviously is unique. It is a very special place. Any development that would proceed on the waterfront takes advantage of the amenity factor, which the Federal presence along the riverfront has created over time.

It has the commercial and marketing potential of Georgetown backing it so to speak, so it tends to produce uniquely in terms of the revenue by comparison to other sites in the city.

I give an example. We are at this point proceeding to consider the development of what we are terming the capital gatewater area, adjacent to Buzzard's Point in Southwest. It, too, includes park water frontage along the Anacostia River.

That development, encompassing a proposed 52 acres, rising at this stage in estimates of approximately $200 million worth of development over a 10-year period, would, it is estimated, bring to the city approximately $10 million in taxes after a public investment of $50 million as compared to the Georgetown waterfront,

63-163 O - 80 - 3

with no public investment, bringing in half the amount of time nearly $5 million in development.

So it is unique in its revenue-generating capability. In that sense there is no comparison we could make.

As you note from the statement, the Mayor is not for a senseless exploitation of the waterfront. His basic concern goes to the need to be attentive to revenue generation and to take note of the ease in public investment by which revenue generation could occur on the Georgetown waterfront, and to stand ready to proceed as indeed we have in the city to involve ourselves to see that such development is sensitive to the unique placement of the Georgetown waterfront.

But all that he has said he would forego if there were feasibility to the provision of Federal funds for the acquisition of the land to the purpose of total park. It leaves us obviously without the capacity to ascribe a priority to foregoing development on the waterfront if there is the prospect of it remaining as it is or being developed in some manner largely for public interest.

Senator HATFIELD. Thank you very much. You have been a very responsive witness, and we look forward to receiving the additional material for the record.

Mr. GIBSON. Thank you, Senator.

[The information to be supplied follows:]

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
OFFICE OF THE CITY ADMINISTRATOR,
March 14, 1980.

Senator MARK O. HATFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HATFIELD: As promised last Monday, March 3, 1980, enclosed is a copy of the fact sheet which addresses your concerns regarding the implications of Land Use, Socio-Economic Impact, Public Service Requirements regarding the Georgetown Waterfront.

Also enclosed is a copy of the Comprehensive Recreation Plan for the District of Columbia and the Draft of the Georgetown Area Access Improvements.

Please let me know if you require some other information.

Sincerely,

JOHN H. MCKAY
(for James O. Gibson).

Enclosures.

GEORGETOWN WATERFRONT DEVELOPMENT FACT SHEET

Item	All park	Task force (mixed-use)	Matter-of-right	Existing condition
I. Land use:				
A. Park	19 acres	13.4 acres	11.4 acres	2.0 acres.
B. Office		175,000 s.f.	711,000 s.f.	
C. Retail		105,000 s.f.	203,000 s.f.	
D. Residential		420,000 s.f.	309,000 s.f.	
Total		700,000 s.f.	1,284,000 s.f.	
E. Industrial/storage	N/A	N/A	N/A	9.2 acres.
F. District use	N/A	N/A	N/A	7.8 acres.
G. Shore front buffer	All south of K Street	160'0" deep along the water's edge	Could build to water's edge	
II. Socio-economic impact:				
A. Real estate tax		$1.3 million/year	$2.5 million/year	$0.14 million/year.
B. Income tax		$1.9 million/year	$1.3 million/year	$0.01 million/year.
C. Sales tax		$1.2 million/year	$4.0 million/year	$0.35 million/year.
D. Miscellaneous Taxes		$0.1	$0.2 million/year	$0.04 million/year.
Total		$4.5 million/year	$8.0 million/year	$0.54 million/year.
E. Employment	Minimal	1,175 jobs	4,575 jobs	80 jobs.
F. Residential		380 d.u., 830 res.	280 d.u., 610 res.	
G. Land Acquisition	$25 million up			
III. Public service requirements	Department of Interior/National Park Service	Minimal increase	Minimal increase	No increase.

GEORGETOWN WATERFRONT—NEW CONSTRUCTION UNDER THE W. ZONES

Use	Allocation	Population
Retail	330,000 sq. ft	1,100
Office	760,000 sq. ft	3,040
Hotel	440 rooms	660
Residential	625 D.U	1,250

Senator HATFIELD. At this point I would like to place in the record a statement by Councilman John Ray and a statement of Hilda Howland M. Mason, councilwoman for the District of Columbia.

[The statements follow:]

STATEMENT OF HON. JOHN RAY, COUNCILMAN, DISTRICT OF COLUMBIA

Mr. Chairman, members of the subcommittee, I come before you this morning to discuss a subject on which there has been a great deal of controversy—a subject which clearly points out the kind of dilemma we legislators in large urban communities must face on a daily basis. It is, simply stated, the matter of choosing between short term solutions and long term gains, a choice that is always extremely difficult to grapple with. Most often, the need of the moment takes precedence and the future repercussions are ignored.

These elements are patently present in the case of the Georgetown Waterfront Park. On the one hand, if the developer, the Western Development Corporation, is given the go ahead signal to build on the six acre triangle south of K Street, we will reap many immediate benefits for the District of Columbia including a $4 million increase in annual tax revenues and employment opportunities for our citizens. This developer also promises to focus on minority participation in the planning, construction, marketing and management of the Georgetown Waterfront Development. Finally, 420,000 square feet of new housing opportunities would also result. All of these factors would be positive consequences for the city in the near future, and they cannot be taken lightly.

On the other hand, if the park alternative is adopted, the numerous negative impacts of future commercial and housing development as documented in an environmental impact analysis prepared by the National Capital Planning Commission would be avoided. According to NCPC's draft environmental document of January 8, 1980 the floodplain would be best protected by a park. The possibilities for indoor and outdoor recreation, from biking to swimming to sitting in a riverside restaurant eating a fresh fish plucked that moring from a no longer polluted Potomac river would be endless. This choice, which emphasizes the benefits to future generations of Americans, may at first glance appear frivolous, by comparison, but, in fact, with greater study it emerges as the more sound answer in this particular instance.

To begin, the site in question holds great historic value. Near the mouth of Rock Creek and to the west was the Indian village of Tohoga and it was here that captain Henry Fleet from the Jamestown Colony became the first European inhabitant of the upper Potomac area. Captured by the Analostan Indians in 1621, Fleet was held for several years but returned voluntarily to open a trading post.

By 1703, a small settlement known as "Saw Pit Landing" was established on the riverfront west of Rock Creek and eventually became the incorporated town of Georgetown in 1751. As a tobacco port, Georgetown near the end of the century rivaled New York in volume of trade. When the capital of the new republic moved to Washington, it was Suter's Tavern near the present 31st and K Streets that George Washington met with the commissioner to plan the Federal City.

Through nearly three centuries, the waterfront has visually and physically linked the Potomac and the historic port town. To block the view of an free movement of citizens to the river and to the green southern shore would be an act of historic vandalism.

Further, the park usage concept for this land provides a unique opportunity for this last remaining substantial piece of riverfront between Hains Point and Cumberland, Maryland, to be brought into the public domain, where it will complete the border to the Potomac river bank puzzle. Once gone, it cannot be redeemed, it will be lost forever. Should this happen? I say "No".

At the same time, the park represents a commitment to preserving our natural heritage, so much of which has been unscrupulously and thoughtlessly disposed of in the past. It will provide access to the river for the enjoyment of the entire citizenry of this city and the countless visitors from around the Nation and the world who visit this, our Nation's capital annually. The abundant use of Hains Point and Anacostia Park attests to the need for additional riverfront open spaces.

Finally, environmental factors must at least begin to be seriously considered and the issue of the flood plain dealt with in the safest manner possible.

The residents of Washington have demonstrated their interest in and choice of the "park solution". Approximately 2,500 signatures have been gathered city-wide in support of this position, and several civic associations with impressively large constituencies such as the Federation of Civic Associations, the Committee of 100, and the Citizens Planning Coalition have publicly declared themselves in favor of park over development. As you know, the Fine Arts Commission has voted against the proposed development plan and is also in favor of the park concept. The overwhelming concensus is that the entire waterfront should be acquired as part of the National Capital Park System. The choice betwen an "active all park" or a "passive" use of part of the land for a memorial site to a great American is still open. I would favor either alternative.

In closing, I would like to stress that I feel this land should belong to the people. If the pragmatic, short term choice is made, it will look like the right one for the next few years. But, it will be a choice that is abhorred by our children and grandchildren living in this burgeoning urban metropolis with all its pressures. They will need, even as we do today, opportunities to relax, to rekindle their spirits and to regain their depleted energies. In short, they will need the Georgetown Waterfront Park.

Thank you, Mr. Chairman, for the time you have allowed me this morning, to speak to this great national and local concern. I hope that very serious consideration will be given this subject by the Congress as it weighs its decision on this matter.

STATEMENT OF HON. HILDA HOWLAND M. MASON, COUNCILWOMAN, DISTRICT OF COLUMBIA

Mr. Chairman and members of the Committee, my name is Hilda Mason. I am an at-large member of the Council of the District of Columbia. I should like to thank you for this opportunity to state my position in favor of a recreational park on the land between K Street and the Potomac River extending along the river from Key Bridge to Rock Creek Park.

I am representing the views of my constitutents from many parts of the District of Columbia who have signed petitions and passed resolutions favoring this riverfront park, and, on their behalf, I should like to express to you, Senator Hatfield, appreciation for the introduction of Bill S. 1495. Your bill, together with Bill H.R. 4947 introduced in the House by Congressman Stark, would preserve this riverfront land for the enjoyment of all our citizens.

I am aware of the extensive development being planned for the area adjacent to this riverfront land on the north, the development extending from K Street north to M Street, and consisting primarily of high-rise commercial, office, retail, condominium, and hotel buildings. I believe that parkland for the narrow strip between K Street and the river, and extending along the river's front, is basic good urban planning, introducing an element of recreational space of charm and beauty in what would otherwise be an over-developed and impacted community. From the viewpoint of traffic congestion, loss of light and air, and over-population of one neighborhood, preserving this open land is essential.

In the best interest of the District of Columbia, the preservation of available parkland is of rapidly increasing importance. Last summer our parks were consistently overcrowded. The most obvious example, perhaps, was Hains Point which was utilized beyond capacity on many weekends. With the predicted price of gasoline, the use of urban recreational parks can be expected to escalate. It might appear at first glance that this part of the District has an abundance of parkland, but there is actually relatively little—Rock Creek Park is generally considered to be a wooded throughway only; Glover-Archbold is rapidly diminishing as good recreational park space because of serious threats on all sides from extensive developments; and West Potomac Park has not been adequate to the needs of summer weekend recreation, as mentioned above with reference to Hains Point. This riverfront park, although located in Georgetown, will serve not only Georgetown but also the Foggy Bottom, West End, and Dupont Circle neighborhoods, all of which are undergoing massive

redevelopment which will alter radically their densities, scale, and makeup. These will be crowded neighborhoods for Washington, and their recreation opportunities are few and far between.

Of major importance also is the preservation of the Potomac riverfront in relation to the national capital. The land in question represents approximately 50 percent of the urban portion of the District's Potomac riverfront. These riverfronts constitute an invaluable tourist attraction, adding to the general interest to visitors from across the country and from abroad in the downtown monumental areas and in the historic Georgetown.

I wish to congratulate you on your interest in the welfare of our community and to support the hope of my constituents that you will be successful in your efforts to preserve this land as part of the National Park System.

Thank you.

Senator HATFIELD. I now would like to call the Honorable William J. Whalen, Director of the National Park Service.

I believe you are accompanied by Mr. Jack Fish, who is the Regional Director of the National Capital Region.

STATEMENT OF HON. WILLIAM J. WHALEN, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ACCOMPANIED BY JACK FISH, REGIONAL DIRECTOR, NATIONAL CAPITAL REGION; AND JOHN PARSONS

Mr. WHALEN. That is correct, Mr. Chairman, and also with us is John Parsons, one of Mr. Fish's trusted lieutenants who had a lot to do with working closely with the task force in the subsequent agreement signed by the Secretary in July 1979.

Senator HATFIELD. I would like to take a moment to thank you again for the fine services Mr. Fish has been rendering to the Roosevelt Memorial Commission. It has been a very outstanding performance by your agency and I commend your agency, and particularly Mr. Fish.

We have wrestled long with that particular project and have leaned heavily upon your agency and Mr. Fish. We have enjoyed an excellent relationship.

Who knows? We might solve two problems with one solution here today. That may be in the possible future; I don't know.

We welcome you here today to testify on this particular project.

Mr. WHALEN. Thank you, Mr. Chairman.

Mr. Chairman, as you know, S. 1495 would authorize the Secretary of the Interior to acquire possession of all lands and improvements generally bounded on the north by K Street, on the east by Rock Creek, on the south by the Potomac River, and on the west by a line 400 feet west of Key Bridge.

The area would be administered by the Secretary of the Interior in a manner to assure the preservation and protection of the Potomac River shoreline and for recreation or other compatible purposes.

Section II of the act authorizes to be appropriated such sums "as may be necessary to carry out the provisions of this act."

We share in your concerns for the future of the Georgetown waterfront and the Department of the Interior has been actively involved in the long history of planning efforts to insure orderly development of this strategic area. The Department is represented on the National Capital Planning Commission and the District of Columbia Zoning Commission.

More recently, the Department has also served on an interagency task force which included the National Capital Planning Commission and the District of Columbia government. This task force was initiated at the behest of Senator Mathias resulting from his earlier introduction of S. 2622 in February 1978.

Digressing a moment, I have been working very closely with our planning staff over the past couple of years on both the Georgetown and Alexandria waterfront, and do feel rather strongly that they are the gateways to America.

This is the capital of the free world and I am concerned to see that there is protection there that will make us all be better stewards in the future.

This bill would have provided that the United States acquire title to all lands in Georgetown between the C. & O. Canal and the river.

The task force studied numerous alternatives and the final proposal will result in 12 acres of parkland and 6 acres of private development below K Street without any expenditures for land acquisition by the Federal Government.

A complex series of land exchanges by the National Park Service, the District of Columbia government and private land owners will accomplish the agreed-upon objective. This effort was consummated in a memorandum of agreement signed by Secretary of the Interior Andrus on July 13, 1979. This agreement was a culmination of many months of work by the interagency task force chaired by David Childs, Chairman of the National Capital Planning Commission.

The work of the task force was the subject of considerable publicity and citizens participated as did property owners in the area.

We are satisfied that the plan under the agreement reasonably meets our objectives with no acquisition costs to the United States. The end result will be a 12-acre waterfront park between Key Bridge and Rock Creek, thus providing the shoreline continuity that we seek. The plan also provides for a 6 acre development area which will allow a residential commercial complex at considerably less bulk and height than that presently permitted by the existing W-3 zone.

The all-park alternative was explored in depth and would have involved Federal acquisition of the Chessie Resources, Inc., and the Georgetown Inland, Inc. holdings at a cost of at least $24 million. In that the agreement provides for a major addition to the park system of the Nation's Capital at no expense to the Federal Government, we consider it to be a successful administrative solution to the problem.

We do not recommend enactment of this legislation for the following reasons:

One, the excessive cost of approximately $24 million to acquire the 6 acres to be occupied by the development complex provided for in the interagency agreement.

Two, support by this agency would be inconsistent with previous positions on the matter and would be tantamount to the Secretary of the Interior breaking the agreement.

Three, the District of Columbia government has opposed the all-park plan for the waterfront for tax purposes and economic reasons.

Four, the task force plan represents a satisfactory compromise and basically achieves the objectives of maintaining all of the waterfront in public use and made part of the national park system.

Five, the design constraints and guidelines of the development area together with the Fine Arts Commission's review and approval will guarantee that the complex will not be incongruous and will, in fact, partially screen the Whitehurst Freeway.

We are now in the process of implementing the agreement and we are participating with the National Capital Planning Commission in complying with the National Environmental Policy Act and Executive Order 11988—Flood Plain Management.

If the process proceeds on schedule we will have jurisdiction of most of these lands by midsummer 1980. We anticipate starting the planning process and specific development at the same time.

Mr. Chairman, this concludes my prepared testimony. My staff and I will be most pleased to answer any questions that you and the other members of your subcommittee may have.

This concludes my formal testimony. Mr. Fish, Mr. Parsons and I would be very happy to answer any questions that you may have.

Senator HATFIELD. Before I pose questions, I certainly didn't intend to exclude John Parsons in my accolade for the work done on the Roosevelt Memorial Commission. I want to be sure that it is understood that I include him.

Let me go through a series of questions here that your testimony elicits. There is a certain theme running through your opposition arguments which could be identified as economic.

Mr. WHALEN. That is true, Mr. Chairman.

Senator HATFIELD. Do you not agree, Mr. Whalen, that, excluding the economic concern and it is a legitimate, proper concern for all of us in Government, as well as for the citizens—that the ideal thing would be to have the whole waterfront incorporated in a park?

Mr. WHALEN. Mr. Chairman, I personally agree with that professionally. An all-park solution would be the best were it not for the economics. I can't speak for the District government and their tax situation, but just strictly from a park standpoint.

Senator HATFIELD. I am asking you to put on your professional hat as a Director of the Park Service. Excluding the economic considerations, which are substantial, I don't minimize them, would the ideal for the Nation's Capital be to have this entire area as outlined in S. 1495 incorporated in a park?

Mr. WHALEN. That is correct, Mr. Chairman. And our principal objection has always been based on the economics.

Senator HATFIELD. What is the status of the National Park Service regulation required by Executive Order 11988? This, as you know, has to do with the flood plain policy that the President announced.

Mr. WHALEN. Mr. Chairman, are you asking where we stand in National Capital Parks in carrying out the flood plain management act? I am going to defer to Mr. Parsons.

Senator HATFIELD. All right.

Mr. PARSONS. Mr. Chairman, we are, as has been stated earlier by Mr. Gibson, working with the National Capital Planning Commission on compliance with NEPA and Executive Order 11988. This would be done concurrently in a single document.

Senator HATFIELD. So you haven't reached a decision or a policy position on that yet?

Mr. PARSONS. Well, Executive Order 11988 asked us to study all alternatives to building on the flood plain.

Senator HATFIELD. Do all three alternatives outlined in your Section 8 study of the Georgetown waterfront meet the criteria of this Executive order?

Mr. PARSONS. I do not believe so, in that the Interior Department regulations that were promulgated pursuant to that Executive order were not developed until June of last year. This study that we did——

Senator HATFIELD. June of 1979?

Mr. PARSONS. 1979. The study I referred to was done in October 1978. We are now complying with that along with the environmental impact statement we are working on at the present time.

Senator HATFIELD. Would you please provide for the record what would be necessary for each of the alternatives to comply with the flood plain order and your regulations?

Mr. PARSONS. Absolutely, Mr. Chairman.

[The information to be supplied follows:]

Executive Order 11988 was issued by President Carter on May 24, 1977, and has a two-fold purpose (1) to restore and preserve natural and beneficial flood plain values and (2) to protect lives and property from floods. The requirements of the Order to consider the impacts of construction in the flood plain are designed to be incorporated into NEPA documentation.

The thrust of the Order is to insure that when a Federal agency is planning new facilities, modifying existing facilities, acquiring or disposing of lands and facilities, carrying out and influencing programs including regulating and licensing activities and administration of program supported by Federal assistance, the Executive Order will be complied with. In this case the action of the Commission to establish a park constitutes an action which requires compliance with the Order. Future detailed planning of park facilities would also require such compliance and will be accomplished during the master planning stage for the park.

The Department of the Interior published its final procedures implementing the Executive Order on June 20, 1979, 44 FR 36119. These procedures will be followed in the compliance with the Order for this proposal, as follows.

Step 1. Flood Identification—The Department of Housing and Urban Development Federal Insurance Administration Flood Hazard Boundary Map. No. H18 dated October 10, 1975, indicates that all of the land between K Street and the river is within the 100-year flood plain. The best information available places the flood level between 16.5 and 19 feet.

In that establishment of the park will most likely result in construction or modification of existing facilities in the flood plain an analysis of the hazards must be undertaken.

The size of the park will determine whether private development will be constructed within the 100-year flood plain. If the determination is made to implement the Cooperative Agreement, approximately 6 acres of lands currently in the flood plain would be developed and thus facilities would necessarily have to be protected from flood hazard.

Step 2. Public Participation—On November 20, a public "scoping" session was held. The resulting NEPA documentation, in the form of a draft environmental document, has been circulated for public review.

Step 3. Practicable Alternatives—Practicable alternative are defined as those alternatives which are capable of accomplishment within existing constraints. One of the considerations must be assessment of alternative sites where such development could occur. Although there are ample developable sites within the District of

63-163 O - 80 - 4

Columbia for commercial development, the only mechanism available would be the exchange of lands with the private owners in the Georgetown waterfront. Such lands do not exist and would necessitate Federal or local expenditure for those lands. The alternative of acquiring the private property on the waterfront to prohibit commercial development is impractical due to the lack of adequate funds at this time. If the provisions contained in S. *1495* were approved by the Congress and implemented by the Administration, the private lands could be acquired in fee. However, since no Congressional action has occurred this alternative cannot be considered to be practicable at this time.

Step 4. Impacts—It is not anticipated that the occupation of six acres of the flood plain will have any measurable adverse effects on flood levels in the Washington metropolitan area. Thus, the development in the flood plain will not create hazards to other flood prone areas and would not have adverse effects on potential flood plain development elsewhere.

Step 5. Mitigating Measures—The private development can be constructed in such a way as to protect it from flood hazards. This can be accomplished through berming, flood gates and a flood protection plan. The flood plain area is not subject to flash floods in that the flooding occurs when prolonged heavy rainfall occurs in the Potomac Valley to the west. Normally a minimum of 24 hours warning can be expected. Thus, manually operated flood control devices are acceptable forms of mitigation in protecting lives and reducing property damage. As the design for the private development proceeds, the Mayor's representative, under the Cooperative Agreement, will carefully analyze those plans to insure that the development is adequately protected from floods.

The remaining 12 acres of the flood plain area will be developed as parkland. The paved surfaces which exist throughout the entire site would be replaced by grass or other plant material as well as modest paving for pedestrian paths. This would result in a beneficial effect in producing a more absorptive surface than presently exists. Further, the existing, industrial structures within the Flood Plain extending to the water's edge would be demolished which would further benefit the flood plain.

Step 6. Reevaluation of the Action—Given the lack of practicable alternative building on private lands in the flood plain and the lack of impact on flood plain values in the Washington area and the ability to property minimize harm to lives and property as described above, it is believed at this juncture that the proposal to allow six acres of land to be developed is a practicable proposal.

Step 7. Positive Finding—In that the only practicable alternatives is to allow development to occur on the six-acre portion of this flood plain, public notice of the reason for this finding must be given. The Environmental Impact Statement giving documentation of this decision will be subject to public review.

Step 8. Implementation—It will be the responsibility of the Mayor of the District of Columbia to insure that measures to miminize hazards to the proposed development will be carried out in compliance with the Executive Order. In implementing this proposal he must insure that the construction of facilities will be in accordance with the standards and criteria promulgated under the National Flood Insurance Program. They shall deviate only to the extent that the standards are demonstrably inappropriate for a given type of structure or facility. In the implementation phase the practicality of elevating structures above the flood plain level rather than filling in the land will be considered.

Senator HATFIELD. Am I not correct that there have been 13 floods of this area since 1924, according to the records?

Mr. PARSONS. I am not sure of the number, but it certainly has been flooded.

The entire area is within a 100-year flood plain.

Senator HATFIELD. So this area has been flooded then, what one might call a considerable number of times during that period since 1924?

Mr. PARSONS. That is correct.

Senator HATFIELD. So, conceivably, then, any agreement that has been signed to build any kind of structure would have to be predicated on compliance with the Executive order, wouldn't it?

Mr. PARSONS. The position we have taken on NEPA and the Executive order, Mr. Chairman, is that the cooperative agreement

or memorandum of agreement which was signed last July, simply initiated certain things to occur, and those—such as the street and alley closings, compliance with NEPA and compliance with the Executive order.

That was the intent of the agreement, to stimulate the other processes to proceed.

Senator HATFIELD. I see. So, in other words, anyone that interprets the agreement as something of a fait accompli, that has been agreed to as far as the project and so forth is concerned, is wrong in making that interpretation, and that the Secretary of Interior wouldn't sign any agreement that would ultimately be proven to be in violation of an Executive order, would he?

Mr. PARSONS. That is correct.

Senator HATFIELD. So you are saying the agreement was a triggering mechanism to get into play all of these various evaluations, studies, so that we would know whether or not that project could comply with Federal regulation and environmental standards and all other things that will be triggered by this agreement?

Mr. PARSONS. That is correct.

Senator HATFIELD. That is all the agreement is?

Mr. PARSONS. That is my understanding of it, yes.

Senator HATFIELD. I have before me the Department of Interior alternative policies for protecting barrier islands along the Atlantic and gulf coasts of the United States, a draft environmental statement. On page 7 of this Interior report it says the newly approved management policy for shoreline processes states that:

> * * * as far as possible and cognizant of MPS responsibilities that accrue from its previous policy and action, there will be no further attempts to restrain the natural processes of erosion, deposition, dune formation, and inlet formation.

The policy further states that:

> * * * in development zones, management should plan to phase out, systematically relocate, or provide alternative developments to facilities located in hazardous areas.
>
> New facilities will not be placed in areas subject to flood or erosion unless it can be demonstrated that they are essential to meet the park's purpose, that no alternative locations are available and that the facilities will be reasonably assured of surviving during their planned lifespans without the need of shoreline control measures.

Now, I repeat here that this is a shoreline of the ocean and gulf area we are talking about. But at the same time, with the plans that you have within the agency, would this apply to a river shoreline as well?

Mr. WHALEN. Mr. Chairman, the report you are referring to, I believe, was produced by the Heritage Conservation and Recreation Service, and the implications there were the use of Federal funding for projects of flood control or flood plain management on those barrier islands.

It is kind of mixing apples and oranges to take that per se and overlay it on a riverfront in the middle of a heavily developed area. Certainly you would take those things into concern and a lot of judgment would have to be used about how many dollars would go in that development sense.

It could be wiped out if there was one of these 100-year flood occurrences. To overlay that report on this subject and say we would never do anything is not quite what it is intended for.

Senator HATFIELD. That is what I wanted to make sure, that it either had some application or it didn't have, because it is fairly clear that this particular policy, as it relates to those shorelines and as it relates to the flood plain, creates definite restrictions that the Department has set upon itself not to change those natural processes.

I just wondered if there was any such restrictions that might be applicable here, because we have a considerable amount of this acreage which, as you know, is not just in a 100-year, but in a 20-year flood plain.

Mr. WHALEN. Yes, Mr. Chairman. We face that difficulty all along in the C. & O. Canal and we are there within that flood plain and yet protecting and preserving historical resources. I think a lot of judgment has to be exercised.

The report centers around natural areas and natural processes rather than heavily developed urbanized areas such as the Georgetown waterfront.

Senator HATFIELD. I have another document from the U.S. Department of Interior that you are familiar with, which shades the Georgetown area we are talking about and the golden color is the 20-year flood plain.

Mr. WHALEN. Yes, Mr. Chairman.

Senator HATFIELD. That is rather considerable; isn't it? When you look at the total outline of this area. The grey colored area is the 100-year flood plain.

Are there present suitable sites in the National Capital Region for new major memorials?

Mr. WHALEN. I didn't hear the first part.

Senator HATFIELD. Are there present suitable sites in the National Capital Region for new major memorials or could the Georgetown waterfront serve a dual purpose here as a memorial and a park?

Mr. FISH. There are sites available in the national capital area for major memorials. As you know, we have the Secretary's Memorial Advisory Committee that reviews those. The Georgetown waterfront could be one of those.

Senator HATFIELD. It could be a similar site to whatever other sites do exist?

Mr. FISH. Yes.

Senator HATFIELD. Mr. Fish, is it not true that we have in our tentative proposal for a Franklin Roosevelt Memorial found considerable engineering to be required at the present designated site to prepare it for an acceptable memorial?

Mr. FISH. Yes, sir. The present site does require a good bit of piling to support the structure.

Senator HATFIELD. Because it is basically a filled area, is it not?

Mr. FISH. Yes.

Senator HATFIELD. And as a consequence, the Roosevelt Memorial will require putting a considerable amount of money underground to make the memorial ready for the superstructure above the ground; is that not correct?

Mr. FISH. There is no question about it. Yes, sir.

Senator HATFIELD. It is my understanding, gentlemen, that the Park Service in the past has supported the creation of a total park along the Georgetown waterfront; is that correct?

Mr. WHALEN. We previously were on record as supporting that, yes, sir.

Senator HATFIELD. What were the reasons for the change in the Park Service's position on the development of this 6-acre site?

Mr. WHALEN. Basically, Mr. Chairman, the reasons for the change were the increasing costs of lands throughout America, and the amount of commitments that have already been made by the Congress for us on the land and waterfront by new parks that have been established, and we are looking at a situation where we are talking about $4 million per acre and felt that the agreement that was reached gave us almost the best of all worlds, but maybe not the all inclusive park.

Senator HATFIELD. Economic again?

Mr. WHALEN. Economics.

Senator HATFIELD. Besides that, the Redwoods National Park has sucked up an awful lot of money; hasn't it?

Mr. WHALEN. Mr. Chairman, land costs are rising at about the rate of 25 percent a year, although Redwoods is different in the sense that it was a legislative taking. We are running 18- to 25-percent escalation costs per year.

Senator HATFIELD. And these are awfully hard to compute on a long-term basis, the kind of value and the investment they represent?

Mr. WHALEN. It is practically impossible.

Senator HATFIELD. We are computing economics on the acquisition of these lands on the short-term base, aren't we?

Mr. WHALEN. That is true.

Senator HATFIELD. I wonder what would have happened if Thomas Jefferson had taken that perspective on the Louisiana Purchase or Mr. Seward on Alaska.

Mr. WHALEN. Maybe there are some other people that might not feel this way, but I certainly feel Mr. Seward made a good buy.

Senator HATFIELD. Is it a common practice to study the needs for planning a park and options for addressing those needs and were there such studies undertaken before the Secretary signed on the task force agreement?

Mr. WHALEN. Yes, Mr. Chairman. It is our practice under our section 8 authority to look at lands that we feel merit inclusion in the National Park System for various reasons, primarily due to lack of funding.

We study lands that are threatened first, and obviously the Georgetown and Alexandria waterfronts would have to qualify on the list of those being threatened.

In going about studies we do our utmost to do them as objectively as possible and to look for tools other than fee acquisition to provide protection for the lands.

In doing this study we were looking at more than fee acquisition. A group from the Department, headed by a special assistant for the Secretary, Robert H. Mendelsohn, became involved in a series of negotiations with the District government, the Planning Commis-

sion, Fine Arts Commission, and so on. And as a result we have the signed memorandum of understanding of July of 1979.

Senator HATFIELD. Mr. Whalen, I have before me this task force agreement, and I am going to quote from page 6 and subsection (i) and G of 7. It says the governmental agencies believe that the value of the various elements of consideration being paid by the developer is greater than the value qf elements of the consideration being paid by the governmental agencies to the developer.

My question is, would you provide for the subcommittee a list of those elements which benefit the Federal Government and those which benefit the developer?

Mr. WHALEN. Yes, Mr. Chairman. We would be happy to provide it for the record.

Senator HATFIELD. Thank you very much, Mr. Whalen. I appreciate your taking the time to be here.

Mr. Fish, Mr. Parsons, I greatly appreciate your contributions to this hearing.

Mr. WHALEN. Thank you, Mr. Chairman.

[The information to be supplied follows:]

Benefits to the Government and to the Developer by implementing memorandum of agreement dated July 13th 1979.

Benefits to the developer:

The gaining of a single large site even with strict development controls will permit a more unified and therefore marketable project than the present five separate sites, bisected by 30th Street and Virginia Avenue. Furthermore the "mole tract", east of 30th Street is severely restricted by an easement in favor of the United States allowing buildings no higher than 20 feet.

The developer also gains a small area west of 31st street now held by the District of Columbia Government.

Benefits to the government:

The government receives by donation land in fee simple 160 feet wide along the riverfrontage between 31st Street and the existing Thompson Boat Center. Also a strip 60 feet in width along Rock Creek. These donations allow for implementation of National Park Service policy aimed at ensuring that all riverfronts in Washington, D.C. be in public ownership and be part of the National Park System.

The District of Columbia Government will transfer to the National Park Srvice approximately 9.5 acres of land now being used for inappropriate purposes.

Building bulk on the presently privately held land, which can now reach as high as 110 feet as a matter of might will be restricted to no more than 50 feet in height.

The Whitehurst Freeway will be effectively screened from the river and the Virginia shoreline along approximately 1,200 of its length.

The buildings area will allow for a single unified design, rather than five separate elements, varying in size and scale.

The building complexes of principally residential use will provide security and vitality to the adjacent park areas.

The unsightly structures, now on the site, will be removed at no cost to the government.

Senator HATFIELD. Now I would like to invite Mr. David Childs, the Chairman of the National Capital Planning Commission, to come to the table, and I believe he is accompanied by Mr. George Oberlander, assistant executive director; Mr. Dan Shear, the general counsel; Mr. Martin Rody, the director of technical services and special studies.

Am I correct, Mr. Childs?

Mr. CHILDS. That is correct.

Senator HATFIELD. We welcome you here this morning. You may proceed to handle your testimony as you please.

Mr. CHILDS. Thank you, Mr. Chairman. I appreciate being invited to be here today.

Senator HATFIELD. We appreciate the assistance you have been to many projects in this city and the fine work that you have been doing. I don't always agree with you, but I certainly appreciate the time, the effort, and the energies that you have expended.

As you know, my specific disagreements are the F.B.I. building, the Labor Department buildings and a few others.

Mr. CHILDS. You are referring to the Commission as a whole. Fortunately, those two were prior to my tenure.

STATEMENT OF DAVID CHILDS, CHAIRMAN, NATIONAL CAPITAL PLANNING COMMISSION, ACCOMPANIED BY GEORGE OBERLANDER, ASSISTANT EXECUTIVE DIRECTOR; DAN SHEAR, GENERAL COUNSEL; AND MARTIN RODY, DIRECTOR, TECHNICAL SERVICES AND SPECIAL STUDIES

Mr. CHILDS. Mr. Chairman, your proposed bill, as you know, would establish the park on the Georgetown waterfront south of K Street. The public ownership and use of the Potomac River shoreline in Georgetown has been an objective of the Federal Government at least since the McMillan Plan of 1901, which proposed an embankment drive and public quay as part of the National Capital park system.

Most recently, the parks and recreation facilities element of the Comprehensive Plan for the National Capital, adopted by the Commission prior to the District of Columbia Self Government and Governmental Reorganization Act, provided that:

> The entire shoreline of the Potomac and Anacostia Rivers within the District of Columbia should be public and all but a fraction of it should be within the national [open space] system. To achieve this objective, several new parks should be established: one along the Georgetown waterfront.

Both the "General Land Use Objectives: 1970-1985" and the "Parks and Recreation Facilities, diagram No. 1—National Open Space System: 1970-1985" maps of the Comprehensive Plan show such a park.

However, the march of private development from M Street to the river—generated largely by the rezoning of the Georgetown waterfront by the Zoning Commission of the District of Columbia in 1974—may foreclose for generations the implementation of this longstanding objective unless congressional authorization and appropriations for acquisition are forthcoming or some other means for substantially achieving a park along the waterfront is found.

In the absence of assurances that necessary funds for land acquisition, estimated at that time when we began the task force at $20 to $25 million, would be sought by the Department of the Interior or favorably considered by the Congress, an interagency task force, which I chaired, was established in April 1978 to explore alternative means for accomplishing the park.

The task force, with inputs from a citizens' advisory committee and from the owners of property along the waterfront, examined a variety of alternatives consistent with the constraints of no funding for land acquisition, retention of the Whitehurst Freeway, and intensive private development potentials, particularly under W-3 zoning.

As you know, W-3 zoning is a highly intensive development area calling for a 6-floor ratio to 90-foot height limit. In this area it went up to the edge of the Potomac River.

The willingness of the District of Columbia to transfer, with U.S. Department of Transportation concurrence almost 8 acres acquired for the Potomac River Freeway to national park use and of the private property owners to exchange lands along the shoreline, to permit a 160-foot wide park from Rock Creek to 31st Street, for other lands and interests in lands, makes possible public ownership and use as a national park of 13 of the 19 acres south of K Street from Rock Creek to Key Bridge without funding for land acquisition.

The work of the task force culminated in a memorandum of agreement between the Secretary of the Interior, the Mayor of the District of Columbia, the Chairman of the National Capital Planning Commission, and the prospective developer pursuant to which the park and compatible private development could be implemented.

In accordance with the memorandum of agreement, the Commission has been requested to establish park boundaries, authorize land acquisition, and approve transfers of jurisdiction over lands. In connection with such requested actions, the Commission is now preparing an environmental impact statement, which was also referred to in the previous testimony, in accordance with its Environmental Policies and Procedures and the National Environmental Policy Act of 1969, as amended.

The environmental impact statement will examine three alternatives for the area south of K Street: no action; all park, as would be authorized by S. 1495, and mixed use, as provided for in the memorandum of agreement. It is anticipated that the EIS process will be completed early fall of this year.

It is essential that substantial progress be made toward achievement of the park—whether through congressional authorization and appropriations or essentially in the manner contemplated by the memorandum of agreement—within this time frame.

To do less may result in more intensive private development under existing zoning, foreclose any opportunity for a park along a substantial segment of the Georgetown waterfront, and preclude the realization of the long established goal of continuity of public ownership and use of the entire Potomac River shoreline in the Nation's Capital.

I would like to add to the statement that the concern of the completion of the public ownership of park lands along the entire waterfront boundaries of the District has been a personal commitment of mine since I came to the Commission.

I think in the first week I made a special trip to meet with Congressman Yates to discuss the remaining 4 percent, I believe it was, of lands that are not in public ownership.

So much attention recently has been focused on the Georgetown waterfront, but there are other lands that are equally important that have not had the attention that they must have at some near time to retain for ownership the entire waterfront.

So many cities around the country have used their waterfront for oil tank storage or freeways or whatever. This is the only one that

has done so in such a complete way, extending the boundaries to Cumberland.

I think to miss the opportunity to fill out the entire necklace would be a tragic one. I was delighted, therefore, that 2 years ago Senator Mathias asked me to attend a meeting in response to his bill which he introduced, and at which time laid out the ground rules for a task force to see if we couldn't come up with alternative methods for creating this park.

The two fundamental assumptions, the charges given to the task force were to retain the Whitehurst Freeway, the need to do that in light of the removal of the Three Sisters Bridge plan and the funding present for an underground tunnel throughout that area, as well as the inference that the Congress would probably not support the funding of the full purchase of the private properties in this area, in a clear statement by the Department of Interior that the administration would not ask the Congress for money and probably would not support such an expenditure at that time.

It was under those fundamental guidelines that I tried to, with the full membership, of course, of the task force, tried to reach some solution to not only clean up the very bad situation on the waterfront which you described at first this morning, but which would be able to preclude the very real potential of private development right up to the water's edge on that important piece of property.

I would be glad to answer any questions that you have at this time.

Senator HATFIELD. Do I understand, Mr. Childs, that in this task force that you engaged in the assumption was that the Whitehurst Freeway would remain? Are there plans for dealing with this ugly structure that we call the Whitehurst Freeway?

Mr. CHILDS. The District of Columbia, which is charged with the problems of transportation in this area, is undertaking a study of the entire Georgetown area, severely impacted by traffic as you well know. That study is not completed but a fundamental assumption of the study is that the freeway will have to continue for several generations at least and moneys have been appropriated toward the repair of that structure, which needs reworking to the tune of many millions of dollars.

Although the original plans were to remove the freeway and put it underground and it was funded, those moneys have been reallocated and the assumption was that the Whitehurst Freeway must remain in its present condition.

Senator HATFIELD. For several generations?

Mr. CHILDS. Yes, sir.

Senator HATFIELD. When I think about the cost of one bomber we so blithely appropriate, and that we made a commitment to escalate in the next 5 years military spending by 5 percent over the inflation rate, which $1 trillion just for one program, it makes you wonder about priorities.

Did the National Capital Planning Commission consider the various recreational uses to which the park contained in the agreement could be put?

For instance, what are the comparative benefits in terms of recreational usage of the creation of the total park?

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Mr. CHILDS. We did study the potential development of the parkland. We did not reach any final conclusions, since that would be under the purview of the Department of Interior to prepare plans which would come to the Planning Commission.

Since they were a member of that task force, they did generate the objectives of the park, which would be really as a part of a much larger park, a connective piece in which passive recreation would happen rather than delineating for ballfields or tennis courts in that type of park.

It is in the tradition of the West Potomac Park development as an example.

Senator HATFIELD. Under the memorandum of agreement, can the Commission or the Secretary of the Interior establish boundaries or authorize land acquisition or approve transfer of jurisdiction without authorizing legislation?

Mr. CHILDS. I don't believe so. Without congressional legislation——

Senator HATFIELD. Not without authorization from Congress, since this land was originally transferred to the District under a plan leading to a transportation development?

Mr. SHEAR. Mr. Chairman, our understanding is that the District of Columbia government has obtained or is in the process of obtaining approval from the U.S. Department of Transportation for transfer of the lands acquired for the interstate freeway system to the National Park Service for inclusion in a park without the necessity for the District government compensating the Department of Transportation.

Senator HATFIELD. Correct. But there has to be some overall directing authority, because we are involved here with not only transfer, but with possible land acquisition.

As I read your memorandum of agreement, we are involved with quite a cross-jurisdictional project, and I am curious to know who has authority to trigger all this, to administer it, to activate it.

Mr. SHEAR. The agreement, as you know, Mr. Chairman, provides for the initiation of a series of steps and approvals. It does not commit either the Mayor or the Planning Commission to take those steps, and as has been pointed out in earlier testimony, an essential prerequisite to, for example, the consideration by the Planning Commission of the establishment of park boundaries, the approval of transfers of jurisdiction over lands, the approval of exchange of interest in lands, the making of recommendations to the council of the District on street and allocations, all these actions by the Planning Commission may not be taken until the completion of the environmental impact statement process which is now underway.

Senator HATFIELD. Which could wipe out all this agreement?

Mr. SHEAR. It is, as you know, Senator, an important input into the decisionmaking process by the Commission, and the Commission will have before it the results of the statement before taking action.

Senator HATFIELD. I certainly consider it more than important. It is fundamental. The Secretary of the Interior can't activate something that violates the Executive order of the President.

Mr. SHEAR. I don't believe so, but I think that is a question which the Secretary and his staff ought to respond to.

Senator HATFIELD. I think that was made clear by the testimony of the Park Service. I hope you are not reading more into this agreement than there is, because I can't help but feel that Congress is going to have to authorize some kind of final action.

The Secretary of Interior doesn't go around making commitments and agreements that are predicated upon compliance with Executive orders and environmental impact statements and so forth, without some generic authority.

Mr. SHEAR. Mr. Chairman, I can only speak for the chairman of the Planning Commission whom I represented in the preparation of the agreement, and assure you that the agreement is not an agreement to which the Planning Commission is a party.

It is the chairman of the Planning Commission who is a party to the agreement and not the Commission. And under the agreement the chairman of the Commission has merely undertaken to initiate certain actions which must be taken by the Planning Commission before the project can come into being.

Senator HATFIELD. So you are saying in effect that this ad hoc group really doesn't involve the Commission, only the chairman, and that whatever comes out of the ad hoc mechanism, will have to be approved by the Commission itself?

Mr. SHEAR. That is correct.

Senator HATFIELD. I think that puts it into even better perspective. We have an excellent group of people on a good-will mission and perhaps not much more than that as far as legal authority to act or to activate or to commit, is concerned.

At least that was made clear by the Park Service, and I think you are making it very clear as far as the Commission is concerned.

Mr. CHILDS. That is absolutely correct, Mr. Chairman. I was asked at a moment of time in which there seemed to be, and I believe still seems to be, an impending danger to an enormously important piece of property in the Nation's Capital.

Given the constraints that I mentioned, and both are important, not only the money, but the retention of the Whitehurst Freeway.

If you removed those factors, money is no object and you can deal with the Whitehurst Freeway, get rid of it, whatever, then I think the more park the better. You have asked this of other members and I have said that in the past.

However, the rights of the citizens and owners of this property are clear and it would be a great danger to delay, as I have tried to indicate in my testimony, a process which did attempt to achieve not just a compromise, but a reasonable design within this area, it would be a great shame to not be successful in one of these aspects of money and then be left with both the freeway and private development coming up to the shoreline.

The presence of the Whitehurst Freeway, I think, changes the complexion of the design somewhat. If money is no object, but the freeway must remain, I think there is an area of this triangle of land, the 19 acres, which could quite possibly have development on it, residential, slight commercial, which would actually be a better design for the edge of the city coming down to the waterfront.

It is that area of the triangle that we permitted the developer, in agreement with the developer, that he could build, giving up some area of his own land, half of the development rights which are his by right as well as a reduction from the very extreme height that he would be permitted under that ruling.

I felt personally that the development of some edge to the city, allowing Georgetown to come down to the waterfront again, not having the backdrop, the real view being the freeway, and I don't believe you can screen the freeway by landscaping, but at that end, the most damaging and unattractive corner of it, if that could be obscured by appropriate, well-designed primarily residential uses, that would give a life and an activity to the water's edge, turn the corner of the Potomac River in a way that the other buildings, the Watergate, I think, do successfully, and have a better edge to the city rather than the arbitrary geometrical line of K Street, allow it to bend and turn and cover up the Whitehurst Freeway, that might be a better design for the backdrop of the park.

K Street may be an arbitrary line, but there may be pieces of the flood plain north of K Street that should be included in the total park solution.

Senator HATFIELD. Are you saying that this development project is a short range method of dealing with the Whitehurst Freeway?

Mr. CHILDS. No. Given the freeway for many generations, that some development, whether much less than what the task force was able to negotiate or not, might be a better and more attractive edge to the park than the freeway itself.

Even if the freeway is removed, then I think that the line of K Street, which is still fairly arbitrary, shouldn't be there, but should go up and include the powerplant, for example, or certain other portions of the lands under the ownership.

I believe also that that less rigid line, nonorthagonal line of Georgetown coming down to the river, would reflect the natural confluence of the Potomac River and the Rock Creek coming together there, following more the line of the shoreline, might be actually a better design.

Senator HATFIELD. Do any of you gentlemen wish to comment?

Thank you very much, Mr. Childs.

Mr. CHILDS. If I could, Mr. Chairman, I would like to make a final comment.

When signing this agreement, which I pledged only myself to start things rolling as you correctly noted, I made a statement which I believe fundamentally is correct, although an architect, and perhaps it is selfserving, I do believe that the success of a project is dependent upon the proper architectural design.

A good plan is nothing here. The real challenge, the spirit of the agreement was to get all parties, the developer, the city, the Federal agencies, together to try to undertake a larger issue of a park design. But that the criteria, the quality of that architectural design, would become the measuring point for the success or failure of our efforts.

I think that the Fine Arts Commission was quite proper in objecting strenuously to the design that was brought before them. I have had the pleasure of seeing the designs of their new architect, which are being submitted to the Fine Arts Commission tomorrow,

and I believe that this is an enormous step forward, providing some great amenities to the park in terms of the quality of architecture.

It further reduces the development from 6 acres down to 3½ acres so that the park is the vast majority of that area and provides a strong architectural edge to Georgetown which I think is the first step towards making a handsome project.

You may want to see this in light of the previous submission, which I don't think did justice to the idea of some development down there, but I would like to end this with that statement and the fact that, of course, if you are successful in finding the money and in finding some way to deal with the freeway, we are in your debt and would be glad to work with you and whoever else in the Congress has an interest in this matter as you proceed.

Senator HATFIELD. I appreciate your comments. I hope that you do not feel that I have demeaned the roll of this ad hoc group.

I feel it was a very important step, and, of course, one that was taken in the greatest sincerity and effort, and I commend you. I would be derelict in my duty if I did pursue the road upon which I have set forth and at least make a valid effort to achieve the all park program.

Until I make the effort, I don't know whether I will succeed or not. I think, therefore, as we say out in the west, you have to try, and if you don't succeed, perhaps we will try other ways.

But I do gather from your own personal comment here today, that your personal preference would be the all park program if the economics and the tools to accomplish it, were available; that you feel that this memorandum reached by the ad hoc commission is the second best possible solution, or at least it is a subsidiary to your first choice; is that correct?

Mr. CHILDS. If in addition you remove the other constraints, not just the economic, but if the Congress can find some way to fund the tunnel solution or deal with the Whitehurst Freeway, particularly at the eastern end of that.

Senator HATFIELD. You are not dealing with the Whitehurst Freeway with the project. You are adding a further proviso to my proposal that doesn't exist in your proposal.

I asked if you feel that this project was a short-term method of dealing with the Whitehurst Freeway and you said no. So the project isn't correcting that problem.

Mr. CHILDS. The project attempts to deal with the Whitehurst Freeway, which will be there for probably the life of the development.

Senator HATFIELD. Because it backs up to it?

Mr. CHILDS. That is correct.

Senator HATFIELD. Mine deals with it, too, because we are going to go under it. We are going to make more vista open with a park than would exist by having a bulk of mass blocking the view as you approach it, as in a development. All I am saying is, let's play by the same rules.

If you are going to put a proviso to my proposal, it has to deal with the Whitehurst Freeway at the same time we are developing an all-park area. I don't accept the proposition that the project deals with the Whitehurst Freeway.

It doesn't provide a tunnel for it. It provides tunnels for people that come through to the park, but that is not the kind of tunnel I think you are talking about.

Do I misunderstand you?

Mr. CHILDS. Certainly the question of the mass and the scale of the development is up to individual interpretation, and perhaps it should be much lower, and perhaps if there were a way of funding that——

Senator HATFIELD. Is the Whitehurst Freeway going to remain there under the development project?

Mr. CHILDS. Yes. I understand under your bill it would remain there also. It would be what you would see in the vista from the approach from National Airport. The eastern edge is the area I think is of greatest concern, the unused haunches, the scars, the amputated ramps out there, that I believe can be dealt with with the development of residential uses on the water's edge rather than blocked by a freeway.

Senator HATFIELD. Maybe it is a question of esthetics rather than a question of anything else. You think brick and mortar is going to be more attractive than plantings and shrubs.

Mr. CHILDS. Or the steel concrete of the freeway, yes, I do.

Senator HATFIELD. The freeway is there under any circumstance. You think it is going to camouflage the freeway more with the development than with a park; is that what you are saying?

Mr. CHILDS. That is correct.

Senator HATFIELD. Well, I would like to introduce you to some landscape architects who I think will change your mind and you will have a chance to see. I don't understand at all how brick and mortar is going to be more esthetically attractive to camouflage a freeway. You are just getting more of the same. More of the same concrete.

You may have brick over it, but you are suggesting we are going to camouflage the freeway by making something look more like the freeway.

Mr. CHILDS. No.

Senator HATFIELD. I would rather have God's creation to camouflage the freeway than man's creation. It has already made more ugliness in the freeway. I am sure that man can create beautiful things with brick and mortar, but I am saying it seems to me if it is a choice between trees and shrubs and pathways or people in little boxes in the air, that people outside, under the sky are more attractive than just more mass construction.

Mr. CHILDS. That is the question. If it is just more mass of typical K Street construction, I would be the first to be against it.

If we can't achieve a great piece of architectural design, I don't think it should be there. If the developer is able to bring forth a quality piece of design that is a beautiful architectural and proper land use addition to the park, and, in fact, what we have is not just a trade-off between people and shrubs and trees, but we have 15½ acres of new trees and shrubs and paths, and 3½ acres of a beautiful architectural edge with people living there and adjacent commercial facilities for people using that park, then I think we might have the best of both worlds.

Senator HATFIELD. If we can put a new east wing of the gallery down there that would be more attractive?

Mr. CHILDS. I think that would be out of scale.

Senator HATFIELD. A small version.

Thank you very much.

I would like to invite Mr. J. Carter Brown, Chairman of the District of Columbia Fine Arts Commission, to speak.

Mr. Brown, we are happy to welcome you here, and Mr. Charles Atherton, who is accompanying you today. Please proceed as you wish.

STATEMENT OF J. CARTER BROWN, CHAIRMAN, D.C. FINE ARTS COMMISSION, ACCOMPANIED BY CHARLES ATHERTON

Mr. BROWN. Thank you, Senator.

The Commission of Fine Arts, which is mandated by this Congress and by the President of the United States, to watch over the esthetic dimension of the Nation's Capital and particularly over the historic area of Georgetown under the Georgetown Act, has taken a special interest in the waterfront for a long period of time, and at a date just prior to the Bicentennial initiated once again attention to this area by writing to the Mayor that the entire lateral on both sides of the river was of primary concern, and particularly the areas that were not yet taken care of, one of which, as has been brought out in these testimonies, it is not the only area, but certainly one of which is the blighted Georgetown waterfront, which has got to be of the dimension of a national disaster.

The Commission later wrote to the Secretary of the Interior in late 1977 specifically proposing an all park solution to this area, and I wanted to stress how seriously the Commission takes this part of the capital by virtue of its enormous esthetic significance. It is the gateway, it is what one sees first as one approaches the city from either of its major airports, driving along beautifully landscaped and maintained public highways, coming from Dulles or National Airport, there is the sight of the city with the Capitol dome, the Washington Monument, the Lincoln Memorial, and the edge of the city so beautifully landscaped along almost all of it except for that piece of Georgetown.

It is important also from other parts of the city as one drives along the major artery of K Street, one would see the bulk of any new development on this area looming up and out of scale with the Georgetown scale, which is a historically significant one.

And from the site itself, of course, there are superb vistas up and down the river across to the national park which is the Roosevelt Memorial, with its guarantee as a bird sanctuary into perpetuity, looking up the Pallisades and standing there one has an extraordinary opportunity to drink in the whole grandeur of the sight which our forefathers chose to be the capital of this country.

This, therefore, it seems to us, should be something freely enjoyable by the citizens of this country as a whole, and, therefore, we have always favored an all-park solution as the ideal way out.

There is another consideration which is the status of development of the Georgetown area of the city which we feel is on the

brink of a massive overbuilding which could so damage the quality of life in that great historic area as to be a great threat to the purpose of the Old Georgetown Act.

It is very hard to determine what the last straw on that poor camel is, but one should point out that there are some dozen projects underway at the moment in the area of the beautiful national park that is the C. & O. Canal.

Some of these of enormous scale, one called by Wolf and Eckhart in the Washington Post colossus on the Potomac which is on M Street and Wisconsin.

There is the flour mill project and the papermill project, and a large development on top of this could bring living conditions in terms of densities and traffic paralysis to that part of the town so even the city would have to admit that it added up to a net economic minus.

It is difficult to know where the line must be drawn. A traffic study years ago started out that traffic was at its capacity in Georgetown and without the benefit of a metro stop in that part of town we are at the brink of a serious problem.

The solution proposed by the ad hoc task force would at least provide some park, but the ribbon of park would be extremely narrow, the width of K Street, and would preclude the kind of breathing space we feel the city needs.

With the rise in the cost of energy and of fuel for automobiles, the citizens of this city are going to be drawn more and more to the recreational facilities that are at hand, and witness last summer in East Potomac Park, where there was an overload and at one point it had to be closed because of the tremendous citizen usage.

The bill that you have introduced, therefore, strikes at the heart of this question, which is to find away to provide the economic base to make an all-park solution come about.

I would submit only that it does not go far enough, because I feel strongly that the Whitehurst Freeway is itself a tremendous part of the blight of that waterfront. We have had a lot of design study of the area, all of which has agreed that something should be done about that. The distinguished Greek urban designer came to Washington and made a specific study and came to the conclusion that tunneling that artery is the only solution of which any of us could be proud in the future, and therefore, it is a question of national priorities, and one in which we feel that that part of the problem should be addressed equally.

In closing, I might simply mention a consideration that confronted our philosophical and political forebearers in ancient Athens when they decided to build the Parthenon on the Acropolis. I don't have the figures of what percent of their gross national product it took to produce that, but I submit that it did speak to a different value system that we see with these ad hoc solutions that we see confronting us now with respect to Georgetown.

Senator HATFIELD. Thank you.

You mentioned this strip of parkland under the proposal of this ad hoc group, a strip of land between the river and the project itself. Would you consider that to be more of landscaping for the project than a true park?

Mr. BROWN. It could be interpreted that way, Senator.

Senator HATFIELD. Do you know of any design that has been developed or is in the process that deals with the Whitehurst Freeway given the assumption that we are going to have it with us for some time, that would be more attractive or desirable than an all-park?

Mr. BROWN. I do not know of one so far. The original submission under the development scheme was rejected by the Fine Arts Commission unanimously as being hopelessly inadequate on a variety of fronts, one being scale.

It was a behemoth plunked down on the waterfront and also an architectural approach where it tried to take some of the elements of the small scale historic residential areas of Georgetown and simply go on repeating them and blowing them up so that it produced a kind of dizziness that I think no one was very happy with.

I do not, however, want to prejudge the new submission which comes before the Board tomorrow and which will be reviewed by the full Commission at its next meeting.

Senator HATFIELD. Thank you very much, Mr. Brown.

Mr. Abernathy, do you have any comments?

Mr. ABERNATHY. No, sir.

Senator HATFIELD. I invite Mr. Herbert Miller, Georgetown Harbor Associates, developer with Chessie, to come forward.

Mr. MILLER. Senator Hatfield, members of the subcommittee,——

Senator HATFIELD. We are happy to have you here, Mr. Miller. We have your full statement, which will be placed in the record. You may either read it or summarize or highlight it.

Would you introduce your colleague?

STATEMENT OF HERBERT S. MILLER, PRESIDENT, GEORGETOWN HARBOR ASSOCIATES, ACCOMPANIED BY BILL TURNER, PROJECT MANAGER, WESTERN DEVELOPMENT CORP. AND GEORGETOWN HARBOR ASSOCIATES

Mr. MILLER. This is Bill Turner, project manager for Western Development Corp. and Georgetown Harbor Associates.

Our other partner in the company could not attend today and is introducing a written statement to you.

Senator HATFIELD. That will be made a part of the record, too.

Mr. MILLER. I believe there are other statements that will be submitted.

Mr. Chairman, members of the subcommittee, it is a privilege to appear before you to discuss the future of the Georgetown waterfront. As a resident of Georgetown for 17 years and the head of a Georgetown-based Metropolitan Washington development firm, this is a subject of much interest and concern to me.

In its present condition, the Georgetown waterfront below K Street has remained too long a neglected backwater with its cement batching plant and its public and private storage areas. Simply stated, it is a disgrace.

As a result of the initiative of Senator Charles Mathias of Maryland, there is now hope that the condition of blight and decay can be ended with the riverfront being restored as an active people-place, an asset to Georgetown, the District of Columbia, and the Nation.

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As a result of his efforts with the support of Federal and District agencies, notably Interior, NCPC, and the city's planning arm we can now look forward to the creation of a fine new waterfront park without cost to the taxpayers for land acquisition.

There will also be a sensitively designed development which will not only provide upwards of $5.5 million to the financially hard-pressed District of Columbia in annual tax revenues but be designed to bring Georgetown back to its origins of the Potomac River. The predominantly residential development will also create employment and economic development benefits for the city.

I might add that we have submitted a major comitment on the part of minority involvement through the entire development, including ownership, to the Mayor on this project.

In addressing you today about this proposal, I am appearing as president of Georgetown Harbor Associates, a joint venture of Western Development Corp. which I had, and Chessie Resources, Inc., the real estate arm of the Chesapeake and Ohio Railroad. Together, we control a total of 6.8 acres between Rock Creek and 31st Street. These are the only private holdings on the waterfront area below K Street which totals 18.54 acres.

The development of this area has been the subject of much study and controversy for two decades. Yet it remains a blighted area.

In my judgment, that condition of blight and neglect will continue for the indefinite future unless the sensible and responsible development program which we are undertaking at the initiative of the task force is allowed to go forward.

Assuming the necessary approvals are forthcoming, we will donate the shoreline areas of our property to the Interior Department for inclusion in the National Park System.

The riverfront park that will result will average about 167 feet in width and will stretch from Key Bridge to Rock Creek Park below K Street. In some areas, the proposed park will reach a depth of more than 300 feet.

For example, the area in front of the Kennedy Center, the park is only 30 feet in width.

The shorelines of both Rock Creek and the Potomac River will be protected in perpetuity.

In terms of actual development, we will build on only 20 percent of the area since we intend to provide open spaces, public amenities, and protected vistas as integral parts of our design. Our net dedications of land, height, and density reductions to the Federal Government exceed $12 million that we are dedicating to the Federal Government.

That design is now being completed by Arthur Cotton Moore, the distinguished award-winning architect whom we retained to respond to the comments provided us by the U.S. Commission of Fine Arts. That agency, I should point out, has been given the responsibility by act of Congress to review the architectural design of Georgetown developments.

That agency has been given the responsibility by act of Congress to review the architectural design of Georgetown developments.

I should point out, as well, that the design will carry out the spirit and intent of the joint task force agreement worked out by

the Mayor of the District of Columbia, the Secretary of Interior, and the National Capital Planning Commission.

The Mayor's representative has already reported to you on that understanding which was executed on July 13, 1979, after more than a year of arduous work.

You may ask why are we prepared to accept the task force concept which will reduce the amount of development that we are located by right by about one-half?

Why are we prepared to donate significant shoreline acreage, et cetera?

The answer is that we are responsible developers who believe in this project and who believe in the task force program.

In that sense, we agree with the intent of the legislation introduced to protect the shoreline of the Potomac River as a priceless asset for the people of this city and the Nation. Under our plan, the shoreline of the Potomac will be placed under public control. Public access to the river will be provided as will access to Rock Creek Park.

What is envisaged is complementary development of park and project, bringing life and vitality to this remarkable, but neglected site, in effect, bringing the river to Georgetown and Georgetown to the river. There will be attractive pedestrian ways extending the existing streets of Georgetown for walkers and bicyclists, and an opportunity to enjoy the river and the park in a secure, peopled and human-scaled environment.

There are alternatives, of course. One is to leave it the way it is, which is obviously unacceptable.

The other is to acquire the private holdings and turn the entire area into a park. Aside from the cost which would probably exceed $40 million—I have heard numbers of $24 million based upon the prevailing FAR rates in the Washington area. They talk about the land prices increasing 18 or 20 percent a year. I heard earlier discussions of our other parks and FAR prices in Washington have almost doubled in the past year, for example, and could exceed $40 million or $50 million in land value.

Senator HATFIELD. Do I understand that would be your asking price?

Mr. MILLER. No. We have had appraisals and I can assure you the land is worth in excess of 40.

There is a significant question whether such a park, separate from Georgetown by the barrier of the Whitehurst Freeway, is the solution of choice. Indeed, we firmly believe that an attractive waterfront development encouraging people to live, work, and recreate along the Potomac is a better solution than an isolated "all-park" solution.

I would like to make a final point. The Congress of the United States can be assured that the project will be carefully reviewed for its design and suitability by the agencies that have statutory responsibility to do so. And as a developer, I pledge that I will do my best to make sure that it is a development of which you will be proud.

Again, thank you for this opportunity to appear before you. I would be pleased to answer any questions.

Senator HATFIELD. Thank you, Mr. Miller. We appreciate very much your presence here this morning.

Have the costs of flood insurance or provisions for flooding been taken into account in the development plans?

Mr. MILLER. We have retained several engineers as well as a specialist in flood control, Dr. Sternberg of the University of Maryland.

He has determined from great research the location of the flood, and we have provided flood control systems and legal and practical solutions to the flood control.

Senator HATFIELD. You have acquired what?

Mr. MILLER. We are able to meet all requirements of flood control.

Senator HATFIELD. What are they? What are those requirements?

Mr. MILLER. I would have to defer. I believe on the private development there are not requirements except for habitual space, and that will be above flood plain level. In the area of flood plain, we will have appropriate architectural and engineering treatments to be able to withstand the flood control.

Senator HATFIELD. Do you have any promise of insurance?

Mr. MILLER. We have title insurance on the property for flooding and we are satisfied legally and practically and economically that we can handle this matter.

Senator HATFIELD. Is there development still planned for underneath the unused portion of the Whitehurst Freeway?

Mr. MILLER. We have come up with some ideas to make that a transportation link in conjunction with some metro assets that will be presented to Fine Arts tomorrow. We felt that the area underneath the unused portion of the Whitehurst Freeway adjoining the portion owned inland could be a good transportation mode.

We have asked in conjunction with our other projects to look into a shuttle bus system in addition to other metro usage. We think that would be a good location for drop off and access for pedestrians and vehicular use.

Senator HATFIELD. Foreign embassies and chancelleries form a natural market for the purchase of units of a development of your type. Since these would be exempt from taxation and, therefore, would add no tax revenue to the city, has any provision been made for excluding the sale of such entities within your project to foreign governments?

Mr. MILLER. I heard that question earlier asked of Mr. Gibson. In our other project in Georgetown, the people expressing interest in this project, there has been no interest expressed by foreign embassies or chancelleries to date.

We will look into that possibility, but I think it is minimal.

Senator HATFIELD. You have made no policy determination on that issue yet; is that what you are saying?

Mr. MILLER. We don't make policies. Anybody is free to buy any unit that we develop. We just have not had interest expressed.

Senator HATFIELD. So you would be open to such purchases from foreign governments?

Mr. MILLER. We are open to purchase from anyone.

Senator HATFIELD. Thank you very much for your testimony.

Now I would like to invite a panel consisting of Mr. Blackwelder, Larry Stevens, Dr. Michael Frome, David Conrad, and Peter Kirby.

Dr. Frome, I understand that you have been proclaimed the leader of this panel. I would urge you to take the time to give us the highlight of your statements, and let us put the full statement in the record.

STATEMENT OF DR. MICHAEL FROME, AUTHOR, CITIZEN/CONSERVATIONIST

Dr. FROME. Senator, I think all of the people with me at the table today are accustomed to summarizing statements. I would like to introduce them by name first and then endeavor to give a brief overview of my own.

On my right is Lawrence Stevens, formerly deputy director of the Bureau of Outdoor Recreation, deputy director of the Outdoor Recreation Resources Review Commission, formerly executive director of the Citizens Advisory Committee on Environmental Quality.

Our statement has been authorized by the National Recreational Park Association.

On my left is Dr. Brent Blackwelder of the Environmental Policy Center, one of the country's foremost authorities on flood problems; and David Conrad for the American Rivers Conservation Council.

The presence of these gentlemen with me demonstrates the interest and concern of national environmental groups in the fate and future of the specific tracts with which we are dealing here today. I, myself, have devoted 30 years of my life to national parks.

During this period I have written articles in books about great American natural areas, and also historic shrines dealing with their values of recreation, inspiration, and education and their lasting values as heritage.

I would like to raise two questions first. Does the Georgetown waterfront belong in the gallery of treasures?

I think that almost every witness you have heard this morning has responded in the affirmative, with the exception of the developer. I would like to make the point that since little remains of the waterfront, every bit of it we now can save becomes all the more of a treasure.

It provides the present and future something to hold on to and cultivate. I recall the restoration of Independence Square in Philadelphia only a few years ago. Through a combined Federal, State, and city effort the 20-acre historical park includes not only buildings, but greens, trees, walks, walls, and gates such as those that stood there long ago. I was intrigued by Mr. Brown's proposal of eliminating the Whitehurst Freeway, because they eliminated similar blight at Independence Square.

They took down a whole 10-story building in order to open the vistas and protect and restore the historic values of that site. The basic question that has been raised by the Government here is can we afford it, but this seems ludicrous to me.

When we talk about spending as much money to desecrate West Potomac Park in order to construct a 900-foot granite wall and call it a memorial to Franklin D. Roosevelt, certainly President Roose-

velt deserves a memorial, but that is not the place for it and to my mind is not the kind of thing he would want.

Everybody knows his love of nature. If there is anything that he would want as one of the great conservation Presidents of history, it is exactly the memorial on the site that we are discussing.

So I don't see where the question can be raised of not having the funds. The question of cost in Georgetown should actually be rephrased.

Can we afford not to have the park as proposed in Senator Hatfield's legislation?

Ours is considered to be a rich Nation. Riches of nations, however, never can be measured only in export trade balance and gross national product, but must include the quality of resources and how they are protected, nurtured, and made available equitably among all people.

That is what national parks are all about. Let's put a price tag on the acquisition of land for the Georgetown waterfront park. Whatever the price may be today, the value of the park itself will be greater by far and will increase with each passing year until the end of time.

I wish Secretary Andrus or the National Park Service would make such a statement. They speak repeatedly of imagination, innovation, and urban initiative as being implicit in their programs, but the record of actual performance doesn't show that.

The lead editorial of the Washington Post of July 8, 1978, begins as follows:

> Thanks to a string of unconscionable decisions made by the National Park Service some years ago, a monstrous proposal for a monster commercial development now threatens the George Washington Parkway in the vicinity of the marina north of Alexandria.

It took citizen initiative to block this $300 million high-rise complex and to wake up the National Park Service to its obligations. The threat still remains and it is not being truly dealt with by those in charge.

And now there is still another massive development on the horizon. Little wonder that citizens who care turn to Congress.

Early passage of Senator Hatfield's bill will meet a critical need to protect and enhance Georgetown as a source of pride of the city and Nation. His legislation deserves support on that basis alone, but it should also make us aware of the challenge to safeguard the environment of the Potomac River.

This natural waterway of beauty and history is Washington's most significant natural resource. To protect its banks, its spectacular Palisades above Washington, the waterfront values of Georgetown, Anacostia, and Alexandria, and the broad estuary lands below, is to guarantee a lasting beauty which few cities in the world can possess.

I hope that Congress will consider dealing with the Potomac gateway as a whole. There is precedent. Two of the most popular units in the National Park System are Gateway National Recreation Area in metropolitan New York, and Golden Gate National Recreation Area embracing the scenic coastline north and south of San Francisco's Golden Gate Bridge.

Both these units successfully provide outdoor recreation in natural settings, enriching the quality of life and quality of landscape. The gateway concept applied here would provide the antidote to inharmonious commercial high-rise construction along the Potomac, which is now radically altering the landscape, threatening to reduce it to mediocrity.

We may face a sordid scene to regret in our own time. The legislation introduced by Senator Hatfield marks a major step to shift gears, to take corrective action while we have the chance. I hope this Senate committee will grant its approval and press for early enactment.

I would like to call on Mr. Stevens.

STATEMENT OF LAWRENCE N. STEVENS, ENVIRONMENTAL CONSULTANT, NATIONAL RECREATION AND PARKS ASSOCIATION

Mr. STEVENS. Thank you. Mr. Chairman.

As a resident of Arlington, Va., for the last 34 years, I have watched with great concern the detrimental effects of rapid and massive population growth upon the environmental quality of the National Capital Area—increased air, water, and noise pollution, traffic congestion, loss of open space, and mounting pressure on park and recreation facilities.

But despite the generally bleak pattern of environmental degradation, there have been some encouraging trends. One of these has been—until recently—the recognition by all concerned—the Congress, the executive branch, the local governments, and most citizens—that the Potomac River and its shoreline are irreplaceable assets that should be preserved to the maximum extent possible for public use and enjoyment.

Toward this end, the C. & O. Canal was protected first as a national monument and in 1971 as a national historical park. And for the last decade there has been a concerted, intergovernmental effort to clean up the water in the river.

While progress has been slow, it has been real. Each year, as the water becomes cleaner, so do the Potomac and its shoreline become ever more valuable recreation resources.

I use the phrase "until recently" because in July 1979, there took place an unfortunate action that—if allowed to stand unchallenged—would destroy the longstanding concept of realizing maximum public benefit from the Potomac and its shorelines.

The unfortunate action was, of course, the signing of a memorandum of agreement by the Secretary of the Interior, the Chairman of the National Capital Planning Commission, and representatives of the District of Columbia and Georgetown Harbor Associates, the developer.

I was pleased and surprised to hear that apparently the agreement means little if anything. I thought it was—when it was signed last summer at a ceremony it was held out as quite a document.

In my judgment, the construction of any permanent building between K Street and the river would be most unwise and contrary to the public interest. I say this for two fundamental reasons: first, the land is entirely within a flood plain; and second, all of the land

is urgently needed for a public waterfront park—the creation of which is, of course, the objective of S. 1495.

Since the land is in a flood plain, it appears to me that the construction of a large commercial-residential complex on this land, as provided for in the memorandum of agreement, would be not only ill-advised, but clearly in conflict with the Federal Executive order and acts of Congress aimed at preventing the location of such developments on flood plains.

Executive Order 11988 requires Federal agencies to avoid flood plain development whenever there is a practicable alternative.

Obviously there is a practicable alternative in this case, which is to locate the development elsewhere on land that is not in a flood plain. I raised the question of development on a flood plain in a letter to the Secretary of the Interior last November. The reply made no mention whatever of this basic policy issue.

A far better use of the flood plain—and one that would meet a very real and urgent public need—would be to include all of the land in question in a public park for the enjoyment of present and future citizens of, and visitors to, the National Capital Area, as well as for protecting the fragile environmental quality of the Potomac River and its shoreline.

The park would provide much-needed public recreation opportunities and open space in Georgetown, where intensive development has already occurred and is continuing between K Street and M Street.

The waterfront land along the Potomac in Georgetown meets the highest priority recreation needs—close-to-home and water-oriented recreation. In study after study, these two needs have ranked highest among recreation users.

Both the ORRRC report and the National Urban Recreation Study by the Department of the Interior viewed urban waterfront land as critical land for recreational use.

The Office of Coastal Zone Management, the National Endowment for the Arts, and the Heritage Conservation and Recreation Service have confirmed those conclusions recently.

Locally, the District of Columbia government has also recognized the priority of waterfront land in its 1979 Comprehensive Recreation Plan with its recommendation that "maximum use should be made of the open space along the waterfront."

In Interior's 1978 National Urban Recreation Study, land objective 2 states "better utilize existing land and water resources for recreation." The study then cites as options for meeting this objective "maximize protection of flood plain open space," "maximize recreation opportunities and conserve existing recreation resources in coastal and river areas," and "maximize recreation access to cleaned-up urban rivers."

These are all sound courses of action that the Department itself would be wise to follow in connection with the Georgetown waterfront.

I cannot emphasize too strongly the need for close-to-home recreation. Just a month ago, I attended the National Conference on Urban Recreation sponsored by the National League of Cities in San Antonio.

Throughout the conference, the strong recurring theme was the increasing use of city parks as the rising price and scarcity of gasoline sharply reduce travel to more distant park and recreation facilities.

Briefly, a few comments on the money. I would point out that in the administration's budget for fiscal year 1981, under the Land and Water Conservation Fund there is included more than $252 million for Federal acquisition of land and water areas, including more than $187 million for acquisition of National Park Service lands. I would suggest that the areas proposed for acquisition be thoroughly reviewed to determine whether some of that money might be reprogramed for acquisition of Georgetown waterfront land.

I think it is fair to say that over the years, very little of the Federal money in the land and waterfront has gone to urban areas, and this is an excellent—this would be an excellent application of that money to a very high priority urban acquisition.

I think it should also be checked whether the possible donation of the private lands by the owners to the Federal Government would give them sufficient tax benefits to make it worthwhile.

I know that on upper parts of the C. & O. Canal there have been some cases where that has been successful. Still another possibility that should be checked out is the possibility of a campaign to encourage local businesses and citizens to contribute money for the purchase of the lands, perhaps with a provision for Federal matching of the dollars contributed.

In conclusion, let me just say that after many years in the Department of Interior working to identify every possible means of expanding and improving urban recreation opportunities, I was really unpleasantly surprised when I learned that the Secretary of the Interior had signed the memorandum of agreement last July.

In my judgment, it places the Department of the Interior in the unfortunate stance of advocating a major commercial residential structure on a flood plain and sacrificing a never-to-be repeated opportunity to provide urgently needed recreation in a choice waterfront location.

A review of the presentation made by the National Park Service leads me to believe that no substantial analysis has been made of recreation demand in the area, a basic part of a recreation plan.

The Georgetown Waterfront Park will serve not only Georgetown, but also Foggy Bottom, West End, and DuPont Circle. These neighborhoods, with over 32,000 people today, are undergoing massive redevelopment that will alter radically their densities, scale, and makeup. With recreation opportunities in these neighborhoods few and far between, a nearby waterfront park becomes especially important.

As Ann Satterthwaite, an environmental planner with a broad knowledge of urban recreation needs, said in testimony before the Fine Arts Commission in December,

For example, the Dupont Circle area had 19,000 residents with a density of 61 persons per gross acre, which is more than three times the city's average density. Yet there are only 6 acres of recreation open space land in the Dupont Circle area, of which only 2 acres are for active recreation. This is way below the city's recreation standards.

The Georgetown waterfront is only 20 minutes from the Dupont Circle area and would provide much-needed recreation and open space for that area, as well as for Foggy Bottom and other inner-city neighborhoods short on recreation land.

I believe Interior should be leading the fight against unwise development of flood plains and for maximizing urban recreation opportunities.

That completes my statement, Mr. Chairman. Thank you for the opportunity of stating my views.

Dr. FROME. Now I would like to introduce David Conrad, whose organization deals with preserving what remains of our great heritage of free-flowing rivers and streams and their shorelines.

STATEMENT OF DAVID CONRAD, ASSISTANT DIRECTOR, AMERICAN RIVERS CONSERVATION COUNCIL

Mr. CONRAD. I will very briefly summarize the key three or four paragraphs from my testimony which I think might be helpful.

We seriously question the wisdom of certain of our Government leaders in having recommended the—what we feel is an unwise use of flood plain land for this development which we have discussed, which has been discussed here today.

We feel it runs contrary to current Federal policies embodied in President Carter's May 25, 1977, Executive order on flood plain management and to provisions in the new water policy and elsewhere.

The Federal policy is currently oriented toward discharging new development in flood plain areas, including residential and numerous types of commercial development where people's lifes and property may be put in jeopardy by flooding, especially where flooding is predicted with a flood frequency occurrence of once in a 100-year period.

The National Flood Insurance Program has prepared maps of flood prone areas and is involved in overseeing implementation of these Federal policies. Very briefly, the background reasoning for these flood management policies stems from the sad but wisely recognized fact that at the massive Federal effort begun 50 years ago to control flood damages structurally with dams, channelings, dikes, and levies has overall failed to work.

Over $10 billion has been spent for these construction works and yet flood damage has increased to a level of $1.5 billion each year. In November 1978 the GAO reported that without stemming the growth of flood plain development, this figure could reach $5 billion annually by the year 2020.

We have been fortunate that the Potomac River watershed has so far been spared much of the mass of alterations suffered by so many other watersheds in an attempt to control floods.

The Potomac River flood plain is remarkably free of development along its length and this pattern has saved untold millions in flood control costs and in avoiding flood damages.

We are surprised this morning at estimates of the value of the land. Director Whalen used a figure of $4 million per acre, and the developer suggested something like $8 million an acre for these 6.2 acres within this flood plain area.

I would just like to read one paragraph from the Georgetown Waterfront Park draft environmental document describing the

flood hazards in this area. It says, all the Georgetown waterfront lands are in the flood plain of the Potomac River and can be expected to be periodically inundated. Slightly more than half of the land area can be expected to be flooded during 20-year stages. The lands in question are identified in the Department of Housing and Urban Development's Federal Insurance Administration Flood Hazard Boundary Map, page 18, dated October 10, 1975, which indicates that all of the land between K Street and the river is within the 100-year flood plain.

Their best available estimate places the flood level between 16.5 and 19 feet mean sea level. Current data on flooding indicates that the 100-year elevation of 17.3 feet above mean sea level. At this flood stage level, K Street would be covered by an average of 4 feet of water.

And apparently, from the flood plain map included in the document, 100-year floods have been experienced there three times in the past 90 years, in 1899, 1936 and 1972.

The zone which the land currently has seems inappropriate considering the fact that the current Federal policies are aimed at discouraging development in areas, especially residential and commercial development.

I would just add that comment. Finally, just to underscore what Mr. Stevens has said, on the recreation aspects of protecting this land, the city's waterfront property is becoming increasingly valuable as a public recreation source.

Each year the Potomac is cleaner and more suitable for public use as a result of water pollution cleanup efforts.

This cleanup has been a tremendous public benefit. By 1984, the public and private sectors will have spent some $248 billion for water pollution abatement to bring our Nation's waters to swimable and fishable quality again.

It is our feeling that insufficient attention has been given to assuring adequate public access to the rivers. The public has spent so much to clean up during the past 8 years, since this major national effort was begun.

As the Potomac gets cleaner, adjacent land values are rising. Establishment of a waterfront park to assure full public access to the river would be a wise and timely project.

Of course, we offer our strong support for your measure.

[The prepared statement of Mr. Conrad follows:]

STATEMENT OF DAVID CONRAD, ASSISTANT DIRECTOR, AMERICAN RIVERS CONSERVATION COUNCIL

Mr. Chairman, Members of the Subcommittee, My name is David Conrad and I am here today representing the American Rivers Conservation Council, a national conservation organization that seeks in part to help preserve what remains of our nation's great heritage of free-flowing rivers and streams and their shorelines. representatives of our organization have numerous times in the past testified before the Subcommittee on measures concerning the National Wild and Scenic Rivers Program and other park related legislation, and we very much appreciate the opportunity to offer our views regarding S. 1495, a bill to establish a permanent waterfront park along the Potomac River in Washington, DC from Key Bridge to Rock Creek and down to the river from K Street.

Support for S. 1495

First, I wish to indicate our strong support for S. 1495 as a wise means to restore and preserve one of Washington DC's most scenic and historic waterfront sections

for the use and enjoyment of all Washington-area citizens and for visitors to the Nation's Capital. For years this land has constituted a visual blight along the city's shoreline. Its recreation and aesthetic potential for District residents has gone largely untapped for several decades. However, one good thing can be said about is current largely undeveloped state: since this land is subject to frequent flooding, relatively little demage has been suffered from floodwaters (from the Potomac, Rock Creek and the ocean tides). This, I feel, is as it should be in floodplain areas. It is this subject, and to some degree the recreation aspects of this important legislation, that I would like to concentrate on in this testimony.

Greenway Park compatible with wise floodplain management

One of the chief areas of controversy surrounding this park establishment has focused on the July 13, 1979 signing of a Memorandum of Agreement between representatives of the National Capital Planning Commission, the City of Washington, the Interior Department and a developer to allow the construction of a large resisdential and commercial complex on this land with strip park along the immediate waterfront. We are quite concerned that such a development constitutes an unwise use to this floodplain land and runs contrary to current federal policies, embodied in President Carter's May 25, 1977 Executive Order on Floodplain Management (EO 11988) and to provisions in the Water Policy and elsewhere. The Executive Order states as its purpose: " . . . to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of floodplains, and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative . . ."

Federal policy is currently oriented toward discouraging new development in floodplain areas, including residential and numerous types of commercial development where people's lives and property may be placed in jeopardy by flooding, especially where flooding has a predicted flood frequency of occuring at least once in a one-hundred year period (the "100-year flood"). The National Flood Insurance Program has prepared maps of floodprone areas and is actively involved in implementing and overseeing implementation of these new federal policies.

Mr. Chairman, very briefly the background reasoning for these floodplain management policies stems from the sad, but widely recognized fact that the massive federal effort begun fifty years ago to control flood damages, structurally, with dams, channelizations dikes and levees, etc., has overall failed to work. Over $10 billion has been spent on these construction works and, yet, flood damages (far from being reduced) have increased, currently to a level of $1.5 billion each year. In November 1978 the GAO reported that without stemming the growth in floodplain development, this figure could reach $5 billion annually by the year 2020.

Fortunately, the Potomac River Watershed has so far been spared much of the massive alteration suffered by so many other major watersheds in attempts to "control floods." The Potomac floodplains are remarkably free of development along its length and this pattern has saved untold millions in flood control costs and in avoided flood damages.

Any decision to site a major residential and commercial complex within an identified flood hazard area should be ever so carefully scrutinized since it is this kind of development that can potentially cost the taxpayers hundreds of thousands or millions in disaster relief or in attempts to protect the area with dam construction later on. We are not convined of the wisdom or the need to build the aforementioned complex on the Georgetown Waterfront floodplain site.

The Georgetown Waterfront Park Draft Environmental Document (Jan. 8, 1980) has provided some valuable documentation of the flood hazards where the proposed complex would be located. On page 28, the report states: "All of the Georgetown Waterfront Lands are in the floodplain of the Potomac River and can be expected to be periodically inundated. Slightly more than half of the land area can be expected to be flooded during 20 years stages. In all the alternatives reviewed, the lands in question are identified on the Department of Housing and Urban Development's Federal Insurance Administration Flood Hazard Boundary Map No. H-18 dated Oct. 10, 1975, which indicates that all of the land between K Street and the river is within the 100-year floodplain. Their best information available places the flood level between 16.5 and 19 feet mean sea level. Current data on flooding indicates that the 100 year elevations would reach an elevation of 17.3 feet above mean sea level. At this flood stage level K Street would be covered by an average of 4 feet of water."

Apparently from the floodplain map included in the Document, 100-year floods have been experienced there 3 times in the past 90 years (1889, 1936, and 1972).

For some time now Washington has been enjoying a building boom. The Georgetown area is no exception. But while certain areas of the city, including George-

town, Connecticut Avenue, K Street, and Foggy Bottom have received much new construction, other areas of the city, even adjacent to the primary business district are in serious need of development. Economic review of the benefits and costs of the particular development in question to the city of Washington should include analysis of development at other sites in the city. We doubt whether tax and other benefits to the city that would come from developing this complex in the midst of this unique floodplain land could not be realized as surely and quickly by promoting similar development in other areas which need it more and do not suffer from flood hazards.

Mr. Chairman, a greenway park as suggested by Senator Hatfield's bill, would be far more compatible with protecting this floodplain area than actions allowing construction of businesses and residences there. It could also serve as a living, visual example of the new federal commitment to wise floodplain management rather than as a glaring contradiction. Further, it seems to me that the current District zoning which encourages the very kind of development that the President's Executive Order seeks to curtail, should be changed to a floodplain zone that would bring it into better compliance with the President's and federal policy.

Recreation potential

There are two primary points regarding recreation aspects that I would like to add to what others may say.

The first is that the city's waterfront property is becoming increasingly valuable as a public recreation resource. Each year the Potomac is cleaner and more suitable for public use as a result of water pollution cleanup efforts. This cleanup has been a tremendous public investment. As President Carter noted in his August 2, 1979 Environmental Message to Congress, by 1984 the public and private sectors will have spent some $248 billion in water pollution abatement to bring our nation's waters to swimmable and fishable quality again. It is our feeling that insufficient attention has been given to assuring adequate public access to the rivers the public has spent so much to clean up during the past 8 years since this major national effort was begun. As the Potomac gets cleaner, adjacent land values are rising. Establishment of a waterfront park to assure full public access to the river would be a wise and timely project.

The other point has to do with the ease of access that this waterfront location affords to a large portion of Washingtonians. It is our opinion that this park location would serve large numbers from all over the District. Unlike some of the waterfront parkland, such as the Haines Point area, the proximity of this area to a number of the large population centers in the District plus the ample accessibility to the site by public transportation and at least two excellent bike and pedestrian trails bodes well for broadly felt public enjoyment. Numerous major east-west bus lines traverse M Street two blocks away. Also the George Washington University/Foggy Bottom Subway stop is only 7 blocks away. There is easy access to this site via K Street and the Rock Creek Parkway corridors for most other modes of transportation.

The important point is that this measure (S. 1495) affords an excellent opportunity to develop close-to-home river and land based recreation that will be a significant asset to the entire metropolitan area and represents a wise use of this floodplain land. I might call the Subcommittee's attention to the tremendous positive impact that waterfront restorations such as Baltimore's Inner Harbor (and many others) have had on furthering the sense of community in these cities.

Again, I appreciate the opportunity to testify and urge speedy adoption of this important legislation.

Dr. FROME. Thank you. Now Dr. Blackwelder.

STATEMENT OF DR. BRENT BLACKWELDER, WASHINGTON REPRESENTATIVE, ENVIRONMENTAL POLICY CENTER

Dr. BLACKWELDER. My statement gives some background to the President's Executive order on flood plain management and I think the admission solicited today that, in fact, action by the Secretary of the Interior, if approved, this would be in violation of the order.

I want to make a comment on the cost of the land. Having this land zoned for development is inconsistent with the flood insurance program. The land should be zoned for a flood zone.

Failure to zone it that way could result in a cutoff of all Federal funds for activities in the flood plain area. Therefore, developers who claim that this would be immensely costly are grossly mistaken. The land is undevelopable land and its value should be estimated at its undevelopable potential.

If the city acted otherwise, it would be in serious jeopardy for a number of other Federal programs which might contribute funding to flood plain areas. I think we are talking about costs that are substantially less than what the developer mentioned.

There are many other strategies such as fruitful exchange that I do not believe have been adequately explored.

In fact, the Department of the Interior has just published this booklet about revitalizing waterfronts and talking about a whole range of options other than fee simple acquisition for such properties.

That concludes my statement.

[The prepared statement of Dr. Blackwelder follows:]

STATEMENT OF DR. BRENT BLACKWELDER, WASHINGTON REPRESENTATIVE, ENVIRONMENTAL POLICY CENTER

I am Brent Blackwelder, Washington Representative of the Environmental Policy Center, a national conservation organization with offices in Washington, D.C. I appear here today in support of S. 1495, a bill to protect the Potomac River shoreline in Georgetown from floodplain development. My particular area of expertise is in water resources and flood problems. The mixed-use development and strip park proposed by the National Capital Planning Commission (NCPC) constitutes a violation of the President's executive order on floodplain management (E.O. 11988) which direct federal agencies "to avoid direct or indirect support of floodplain development wherever there is a practicable alternative."

A brief background of President Carter's executive order will be helpful in understanding the serious nature of the present pending violation. In 1966 President Johnson issued an executive order on floodplain management (E.O. 11296) after receiving a report from the Task Force on Flood Control Policy. This distinguished Task Force pointed to the shocking increase in flood damages despite the billions spent by the Federal Government on flood control projects. Furthermore, the Task Force cited federal agencies as one major cause of the problem. Numerous federal agencies through a variety of programs were actually engaged in sponsoring or underwriting development in flood hazard areas. Unfortunately, this executive order was not vigorously implemented and flood damages took an ever more alarming upward jump in the decade of the 1970's. Lives continued to be lost in floods, and the annual property damage figure is about $1.5 billion.

Given the ever-increasing spiral of flood damages, President Carter wisely decided that further action was necessary and issued a new executive order on floodplain management (E.O. 11988) in May, 1977. For a federal agency to proceed in sponsoring a floodplain development it must find that this is "the only practible alternative." It appears to us that there is no compelling reason for locating an office and residential complex in this floodplain area along the Potomac. There are numerous flood-free locations throughout the City on which such a development could occur. In fact Georgetown is already congested whereas other areas of the City are not, and these areas might benefit from such development. Thus, for the NCPC and the Department of Interior to advance such a proposal for floodplain development is in violation of the executive order. While the draft environmental impact statement on the Georgetown Waterfront Park discusses the executive order on floodplain management, it fails to recognize what the executive order requires of federal agencies. The impact statement is therefore clearly deficient.

The Environmental Policy Center believes that Congress needs to act on this matter, and we support the Hatfield bill. We point out that there are options other than fee simple acquisition of the land owned by Chessie and Inland Steel. For example, these corporations, could donate the land to the City in return for a tax write-off. In conclusion, the Center wishes to recall the record flooding in Alabama and Mississippi last year. Jackson, Mississippi, was especially hard hit, and much of the damage was to development which had only recently been located in the flood plain. Let's not repeat these mistakes in Washington, D.C.

Senator HATFIELD. Thank you very much. I appreciate your conservation of time here today as well, as your interest in general conservation.

Let me pose some questions which will cover some of the areas that you have discussed and bring into sharp focus some of the concerns that I have.

What is your overall evaluation of the procedure followed by the task force as it relates to President Carter's statement of policies regarding the water and flood plain areas?

Do you have any comments to make on that?

Dr. BLACKWELDER. It seems to me that, in fact, the discussion of the Executive order on flood plain management was an after thought. It was appended to the impact statement in such a way that it is clear that they did not understand the requirements of that and the Executive order was issued in May 1977.

So it was merely in my judgment after the fact and not built into the planning process.

Senator HATFIELD. Then based on that response I would detect that you were not satisfied with the response of the various agencies to the enunciation of the President's flood plain development policy, specifically the response of the Department of Interior by its participation in this particular project; is that correct?

Dr. BLACKWELDER. That is correct. The Department's action is in direct violation of that order and that agency is supposed to be the lead agency in carrying out the policy.

Dr. FROME. I have a copy of the memorandum of agreement here. We had a revelation this morning. I don't know whether the Secretary or Mr. Mendelsohn could not confirm that the person concocting the agreement is not aware of what they said.

It says the purpose is for insurance and initiating and coordinating public planning development. In the second paragraph it says such joint public/private redevelopment as deemed necessary by the parties hereto. It doesn't say anything about initiating a planning process.

Senator HATFIELD. Or triggering one?

Dr. FROME. Right.

Senator HATFIELD. What would you counsel this morning as far as future studies are concerned?

At what point in such discussions which end up in some kind of an agreement, or which have as an objective, some kind of an agreement, should a discussion of environmental issues and the provisions of NEPA come into play?

Mr. STEVENS. I would say yes very strongly. I think there is a strange process going on in this whole thing, and that is that an environmental impact statement is being prepared on the strip park, but as far as I can tell, one is not being prepared on the mega-structure. I think it is backwards.

I wrote a comment to the National Capital Planning Commission stating my views on the environmental impact of the strip park, and saying, you know, they are OK, but the full park would be proportionately far greater, and that this is the procedure that should have been followed, in my judgment.

On the flood control point, Mr. Chairman, I think it is pertinent that I wrote a letter to the Secretary of the Interior in November

strongly objecting to what he had signed and pointing out some of the points I have made this morning, including the flood plain development, and in the response which I got, which was pretty much boilerplate, there was no mention whatever of the flood plain in question.

Senator HATFIELD. I gather you feel that these discussions should be part of the initial discussions in any future program rather than acting as a sort of a triggering mechanism to let them become the after matter?

Mr. STEVENS. Definitely.

Senator HATFIELD. You mentioned about flood plains and the insurance.

Would you describe the Government procedures involved in compensation of the owners of flooded property for the record?

Are you equipped to do that this morning?

Dr. BLACKWELDER. If an area is declared a disaster area, then, of course, it can get the direct assistance from the Federal Emergency Management Agency.

Senator HATFIELD. Even though it is built on a flood plain?

Dr. BLACKWELDER. Yes. In fact, I want to point out that last year in Jackson, Miss., which experienced record floods, we examined that area and found that much of the damaged structures were recently built. In fact, some of them were built by the very banks that were supposed to be administering the flood insurance program.

And so the disaster relief comes into the area in precise contradiction of the very purpose of the program.

Senator HATFIELD. Are you saying that in the future if we had a flood—let's develop a scenario: That this project was accomplished, the development was there in place and we had a serious flood. If the mayor should declare this an area of disaster would the Federal Government be in a position to compensate the owners of this project for damage?

Dr. BLACKWELDER. Exactly. That is what has happened around the country.

There is also a question of whether such a development could get flood insurance under the Federal Flood Insurance program, and the developer made some reference to title insurance, some reference that that covered flooding.

I am not familiar with what that might be. The question I raise is can this development get flood insurance?

Wouldn't it be in precise violation of all the requirements of that program?

I believe that it would be, and, therefore, it would be an uninsured structure.

Senator HATFIELD. How would you evaluate the future and the effectiveness of the President's flood plain management policy if implementation of this project were to have occurred?

Dr. BLACKWELDER. This would be a serious breach of the policy right in the Nation's capital, which is to be the show case of how well we are doing flood plain management around the Nation.

It would, in my judgment, make a mockery of the cornerstone of what the President was trying to achieve in the area of flood plains.

Senator HATFIELD. Are you familiar with any other projects that so directly challenged the President's Executive order at the moment?

I am asking, basically, is this a test case?

Dr. BLACKWELDER. This would be one of two cases that I know of now that would most directly confront the compliance with the policy. The other is the bridge to Dolphin Island in Alabama which was wrecked by the hurricane.

Senator HATFIELD. So this would be an important matter involving the national policy of other parts of the country as an early test case of whether the President's program is effective or not?

Dr. BLACKWELDER. That is right. It seems to raise a question of seriousness with which the administration wishes to implement the policy.

Why lay down a policy if you are not going to carry it out, particularly if you persist in pursuing at home in dramatic contradiction to your statement on the matter.

Senator HATFIELD. I am tempted to comment on that interpretation of yours, but it might be interpreted as a partisan comment.

Gentlemen, you have been very helpful this morning. Your entire statements will be part of the official record. Thank you.

Now we have a citizens panel, Mrs. James Rowe, Mr. Everett Scott, Mrs. Katherine Sullivan, and Mr. Charles Poor.

Ms. Rowe, are you the chairman of this group or who is the chairman?

Ms. ROWE. I have just been elected.

Senator HATFIELD. This is truly a citizens group. You have elected officers here.

STATEMENT OF ELIZABETH ROWE, REPRESENTING THE COMMITTEE OF 100 ON THE FEDERAL CITY

Ms. ROWE. It is a great pleasure to come today to support enthusiastically your legislation which would set aside the land for a total park below K Street. I will identify myself.

I was from 1961 to 1968 the chairman of the National Park Capital Planning Commission, at which time the chairman and the members of the Commission were in agreement that a total park was the solution to the waterfront.

We also were in agreement that the Whitehurst Freeway should be better hid. I represent today the Committee of 100 on the Federal City. It is a citizens planning group that has been in existence longer than any other.

It is interested and has promoted over the years the livability and the beauty of this great National Capital.

If I could inject a personal note, I am a lifelong Washingtonian. I have blessed the Congress for preserving the banks of the Potomac, through the palisades, which add to the enjoyment of everybody in the city and all the visitors from all over.

I think this legislation would give us an opportunity to fill in a missing link, a very important spot on the banks of the Potomac, that we could create beauty and dismantle an eyesore. It is an opportunity that won't be possible again if the proposed development goes ahead.

This would be, as distinguished from most parks, an act of creation rather than preservation. It would be, I think, a present to the city, not only visually, but providing a recreation area that the city needs so desparately, as we have heard experts say.

As you pointed out earlier, and Carter Brown emphasized, the enormous amount of development now going on north of K Street is going to impact the area around Georgetown.

I am not convinced by the figures that I have seen supporting the development that the traffic, the parking, the air pollution are adequate reflections of what would happen if there is further development.

I think if there is further development allowed south of K Street it would be disastrous. The narrow park strip, which got large this morning, as I look at it on the map, it is 160 feet, which is the width of Pennsylvania Avenue, and as it cuts over to Key Bridge it narrows.

It would be a very nice frontyard for the people living in the apartments if the development goes ahead, but as for its being accessible to the people of the city or the visitors to Washington, it would certainly not be an attraction.

I feel that the men of good will, your good will mission as you referred to it, that met last year, didn't set their sights high enough. This is a great National Capital, and I don't think that we should have less than the best.

I do think that if this is given to the city it would far outweigh any of the tax revenue which has been so emphasized by the proponents of the development. I question some of the figures on anticipated revenue, but I am not an expert.

I do think it should be emphasized that two-thirds of the land in the area is now in public ownership and that two blocks of the privately owned land have development rights in public ownership over 20 feet.

I am staggered by the figure of $40 million. I have heard other figures over the years, and they get higher and higher. But to keep things in some sort of perspective, I understand that $30 million is about to be expended on the improvement of the existing Whitehurst Freeway.

I can't help but remember and reminisce a bit. When I was on the Commission and we were walking along the C. & O. Canal at the time when Glen Echo Park was up for development, and it came right down to the edge of the canal, through the initiative of the Commission, eventually—it took some years—a land swap was made.

The developers, the owners of the Glen Echo Park, were persuaded to swap that land for land I believe in Florida, that belonged to the GSA.

Now, there is surplus land in the GSA's land bank. There is surplus land belonging to the Department of Defense. Maybe a land swap could be initiated to satisfy the developers on their investment.

It has been a great pleasure to come and to know that you have the interest of this great city at heart. Thank you.

Senator HATFIELD. Thank you, Ms. Rowe.

STATEMENT OF KATHARINE SULLIVAN, ADVISORY NEIGHBORHOOD COMMISSIONER FOR GEORGETOWN AND CHAIRMAN, COMMITTEE TO PRESERVE WASHINGTON'S RIVERFRONT PARKS

Ms. SULLIVAN. Senator Hatfield, good afternoon.

My name is Katharine Sullivan, an Advisory Neighborhood Commissioner for Georgetown and the Chairman of the Committee to Preserve Washington's Riverfront Parks.

It is a pleasure to be here today to speak in support of S. 1495, introduced by Senator Mark O. Hatfield to "acquire certain lands so as to assure the preservation and protection of the Potomac River shoreline," the riverfront at Georgetown.

Environmental, recreational and other issues have been addressed today. I will confine my remarks to a brief statement regarding the significance of this land itself.

As a native of this city of Washington, my concern is focused on the city, as my hometown and as the National Capital. With the many problems confronting the city and the Nation, it is easy to forget, or to consider of lesser importance, the acquisition of land for park purposes.

This conflict is not new, nor unique to this period of time. The great men who guided this Nation from its earliest years, had always in mind the character of the Capital City being established by them.

When George Washington was selecting a new National Capital in 1791, he was determined to locate it on the Potomac River shores, the original boundaries including Georgetown and Alexandria. It is certain that he viewed the site from the Georgetown shores and saw the beauty and advantages of this location on the Potomac River frontage of the proposed new capital.

And that is the land we are speaking of today. The issue is whether to preserve the shore of the Potomac at the great bend of the river, where the Capital City is located, and where the shore is most visible from the monuments, bridges, the Kennedy Center, the George Washington Memorial Parkway on the Virginia Shore, and from the river itself; whether to preserve this prime location on the river, which provides an unequaled view upriver to the palisades and downstream to the Capital City; or whether to remove it from the enjoyment of all citizens for the benefit of one development.

It is an issue of whether a relatively small but critical parcel of privately held land will be included in the National Park System, or will be developed with a costly mix of residential and commercial buildings.

Senator Hatfield and Congressman Fortney H. Stark, Jr., acknowledge the necessity of the acquisition of this land by the introduction of their bills, as did Senator Charles Mathias, Jr., with an earlier bill, S. 2622.

These actions are consistent with the efforts of our national leaders of the past to recognize that this city is the National Capital and to encourage its historic quality and beauty as a major world capital. It is in line with the creation of the Mall by the Senate Park Commission; the creation of the Ellipse; the preservation of the C. & O. Canal, at one time to be paved over as a major

highway; the preservation of Rock Creek Park, planned in 1893 to be filled in, level with Georgetown and the western edge of Washington, as a boulevard flanked by houses, also preserved by the Senate Park Commission.

Certainly in the past, times were not always prosperous, there were always alternative uses for available funds, but the National Capital was the primary concern and this concern took precedence over other more parochial views.

Senator Hatfield and Congressman Stark, in this tradition of concern, understand that this land is rich in both historical and scenic values, that it should be protected and preserved for the enjoyment of citizens here, throughout the country and for future generations.

We have now the opportunity of our lifetime, to preserve this land, the subject of the hearing this morning. The citizens of this Nation have placed their trust in their elected representatives in Congress as caretakers of their Capital City.

Failure to act now on the preservation of the Potomac riverfront land below K Street to the river, and from Rock Creek Park to Key Bridge, will mean loss by default of its unique combination of historical, scenic and natural values.

The bills introduced by Senator Hatfield and by Congressman Stark have wide support from citizens in the form of resolutions and petitions. We will continue to work together for the passage of this legislation.

We are confident of the success of this effort to enhance the National Capital and appreciate this opportunity to state our views for the record.

Thank you.

Senator HATFIELD. Thank you, Ms. Sullivan.

[The prepared statement of Ms. Sullivan follows:]

STATEMENT OF KATHARINE SULLIVAN, ADVISORY NEIGHBORHOOD COMMISSIONER FOR GEORGETOWN AND CHAIRMAN, COMMITTEE TO PRESERVE WASHINGTON'S RIVERFRONT PARKS

Mr. Chairman, members of the Commission: My name is Katharine Sullivan, member of the board of the Citizens Association of Georgetown, and Advisory Neighborhood Commissioner elect.

I will briefly summarize where we are now in our efforts to preserve this area below K Street as an open space and recreational park.

Senator Hatfield and Congressman Stark are committed to establishing a National Park on the riverfront at Georgetown; their introduction of legislation is not a symbolic gesture, but reflects a serious concern for the national capital and for integrating this last remaining open space on the shores of the Potomac River into the National Park System, to enhance the quality of life for all citizens and to continue the tradition of making the capital city ever more beautiful. As a Washington Star editorial has recently stated: "lacking an ocean harbor, mountain peaks and other such obvious landscape attractions, Washington must make the most of its river to achieve looks worthy of the nation's capital."

Hearings are being held as quickly as they can be accommodated on the heavy legislative schedules of the Senate and the House. Among other points to be addressed in the hearings will be the concern regarding the environmental impact of the proposed development, situated on an acknowledge floodplain, the increase on already-impacted traffic, increase in air pollution and noise, and the need for this open space below K Street to balance the massive development occurring above K Street. Senator Hatfield and Congressman Stark are concerned, moreover, that a Memorandum of Agreement was signed by the Department of the Interior in July without consideration of these environmental issues. This approval by the Department of the Interior constitutes the Federal action which is the basis for an

Environmental Impact Statement. Another point to be addressed in the hearings is the fact that there are few remaining free spaces in the District of Columbia suitable for designation as site for future memorials. There is and will be a need for appropriate space for such requirements, and the opportunity to reserve this magnificent spot on the Potomac River for such use cannot be ignored. The beauty of this location on the river as part of a Memorial Crescent, including Theodore Roosevelt Island, the Kennedy Center, the Lincoln Memorial, and the LBJ Memorial a short way downstream on the Virginia side, can readily be envisioned.

Senator Claiborne Pell is co-sponsoring the bill introduced by Senator Hatfield, Congressman Joseph L. Fisher of Virginia, and Congressman Michael D. Barnes of Maryland, co-sponsors of the bill to protect the Potomac River, have both urged that an Environmental Impact Statement be undertaken on this project. The national park alternative is supported city-wide. [The following organizations have passed resolutions in favor of the all-park use: The Federation of Civic Associations, the D.C. Citizens Planning Coalition, the Committee of 100 on the Federal City, the Wisconsin Avenue Corridor Committee, neighborhood associations such as Foggy Bottom, Dupont Circle, Logan Circle, Georgetown; some 2000 citizens have signed the petition supporting the total park. Ward 3 Councilmember Polly Shackleton supports the park alternative, and other elected city officials are expressing their interest and concern and are working with us in this effort. We have a city-wide committee, the Committee for Washington's Riverfront Parks, honorary chairman Everett W. Scott, president of the Federation of Civic Associations.]

The accelerating interest generated by the National Park solution for this land below K Street to the river supports our belief that we, our city and Federal officials, have a never-to-be recaptured opportunity to create something of great value to the capital city, for citizens and for future generations, on this remaining open space on the river. It is an opportunity to conserve a unique visual asset which will contribute significantly to the character and quality of Washington as the nation's capital.

STATEMENT OF EVERETT SCOTT, PRESIDENT, D.C. FEDERATION OF CIVIC ASSOCIATIONS

Mr. SCOTT. Mr. Chairman, my name is Everett Scott. I am president of the D.C. Federation of Civic Associations, an organization that was organized in 1921 with a membership today of 55 citizen organizations. It is my understanding that the material that I have before me will be made available to you and members of this committee.

What I will do is just read a resolution that relates to the position that we took as well as the D.C. Citizens Coalition, which is an organization that deals primarily with zoning and planning.

I would like to comment briefly after this resolution on one or two problems as I see them. Let me state also for the record that I am a Washingtonian. I have been active going on 25 years with the affairs of the District of Columbia.

July 27, 1979, the D.C. Federation of Civic Associations unanimously adopted the following resolution, that the federation supports a total park of all the land south of K Street, northwest to the Potomac River and from Rock Creek to Key Bridge, comprising the Georgetown waterfront; enthusiastically endorses Senator Mark O. Hatfield's bill S. 1495 to preserve this land for parkland use.

I think that resolution in itself speaks for itself.

George Sanders is a constitutent member of the association and would be affected by what kind of development happens down on that waterfront. Let me simply say, Mr. Chairman, that while we are dealing specifically with a primary development as it relates to the Georgetown waterfront, that this is not unique as relates to the city of the District of Columbia.

During the past administration, and it is carrying over to this administration, whether the philosophy of the past administration is one that deals with the total comprehensive plan as relates to the city of the District of Columbia, whether or not this administration is totally committed to a comprehensive plan for the District of Columbia, whether we look at this as an isolated case and not interpret it as something that is primarily of concern to the Georgetown Citizens Association.

We as citizens citywide have to concern ourselves with the kinds of development that takes place on the Georgetown waterfront as per the Anacostia River, in all the wards. It is safe to say that while we realize that in 1973 the responsibility shifted from NCPCO to the District of Columbia government, we see no planning effort as relates to a total picture for the city of the District of Columbia.

I simply state very quickly that this is one of the primary concerns of the residents of the District of Columbia, because we believe that the policy as it relates to comprehensive planning is one of none.

I will simply state that in order for us to actually evaluate the overall planning process, the philosophy of the planning, we have to understand what is happening in ward 3 as in wards 7, 8, 6, 5 and all the other wards.

With that, Mr. Chairman, I would like to conclude my remarks.

Senator HATFIELD. Thank you very much, Mr. Scott.

Mr. Poor.

STATEMENT OF CHARLES POOR

Mr. POOR. My name is Charles Poor. I am a resident of the District of Columbia. I am a retired civil servant and for some 17 years prior to my recent retirement I was Deputy Assistant Secretary of the Army for Research and Development.

I found myself on the Hill generally testifying in behalf of the military budget. It is a pleasure to be here in behalf of a bill which, if enacted, could do much to improve the quality of life for the residents of the District and much to enhance the beauty and dignity of the Nation's capital for all the people in the United States.

In my prepared statement, there are remarks about history, remarks about what the waterfront looked like about 100 years ago, when there was a reasonably open vista over the part of the land that is now privately owned and much of the rest of this waterfront had warfs and warehouses and was perhaps somewhat blocked from the view.

It is interesting, but I will pass by that in order to comment a little bit on the task force agreement which has been discussed in a very central way in these hearings.

The most recent attempt to resolve a long standing and inevitable conflict of interest between private ownership and public needs as aspirations has been the waterfront task force under the chairmanship of David Childs.

We heard a good deal about it and we heard that after many months of hard work, careful negotiations, the agreement, executed last spring, found strong, strident opposition from citizen groups

even before its execution, opposition which has grown more determined with the passage of time.

I am one of those who worked with the task force as a citizen advisor, not as a member.

There were no citizen members, just advisors, and shared in its aspirations. I understand what happened and in retrospect see that the task force solution was doomed to failure from the beginning.

The basic premise was that whatever solution was reached must be at no cost to either the Federal or the District Governments, and because there is no such thing as a free lunch, the task force had to agree to a level of development that would, in effect, destroy forever the possibility of a park fully open to the people of the Nation's capital.

The reasonable demands of the landowners for a fair return on their investment, the aspirations of the District government for tax base increases and the restraint of no cost, all combined to define a no effective proposed contract zoning level that still permits and almost requires massive, irrevocable over-building of the site that would contribute a front yard for the fortunate few who can afford to live or work in that complex on that crucial 6 acre site defined by the task force agreement.

So I am sure that you will agree that the basic assumption was wrong. There isn't any free lunch and the interests of all the people cannot well be served unless the people are willing to make an effort to secure those interests.

So I am here in strong support of the bill before us if the waterfront of the Nation's river is to serve the people of the Nation, if the capital is to turn its eyes toward the river all along the length of the shores, then there is a small price that has to be paid.

This bill represents the opportunity to resolve cleanly once and for all what has been for several decades a bitter conflict. It represents the last chance to preserve for our children and our children's children the shores of the Nation's capital waterfront for their enjoyment.

If this bill fails, we can expect that their use of this crucial piece of land will be forever impaired, blocked by a massive masonry building, for the profitability of site demands.

Thank you very much.

Senator HATFIELD. Thank you very much, Mr. Poor.

Mr. Poor, you commented about the role of the citizens advisory council or committee, that assisted the task force. At what stages during the task force consideration of the options for the revitalization of the Georgetown waterfront were the citizens provided the opportunity for input?

Mr. POOR. There are several of us here today, so I think we can ask each other.

My memory would need refreshing. I believe that the first meetings to which I, Katharine Sullivan, Governor Chaplin, and Ms. Lockwood is one of the members of the Advisory Neighborhood Council, participated about in December—not this past December, but the December before, at which point, the task force had had several meetings.

We were frequently invited to meetings and asked for our comments. The comment of the Advisory Neighborhood Commission representatives can perhaps better be summarized by Ms. Sullivan.

It is my recollection that at that early stage, they recommended substantial reduction in floor/air ratio and considerable reductions in height as a precondition for any real support for the scheme. The history subsequent to that was that rather than heights diminishing, they got bigger, and rather than the floor/air ratio going down, it came up.

And I don't think there is any point in rehashing the step-by-step areas of disagreement. But really, prior to the final execution of the agreement, I believe all the citizens advisors had taken a position that they couldn't support it.

I certainly had, Katharine had, and I believe the ANC members had, as well.

Ms. SULLIVAN. The first meeting I went to was the one in June 1978. It was the first meeting that the citizen advisors were invited to. It is also my understanding there were many meetings of the task force that preceded that, going back how far I don't know.

There was another meeting in July and then the next meeting that I personally attended, and I was always opposed to any development in this location, the next meeting I attended was, I think, April 4, 1979.

I was not an ANC member. I was only elected this last November. I believe the ANC members were opposed to any development.

There may have been one or two agreeing to go along with what appeared to start with to be perhaps a minimal residential development.

Mr. POOR. I think, Mr. Chairman, the point I wanted to make simply was that the spirit of citizen advisor participation on the task force was one of great hope that a small-scale development consistent with the approaches to Georgetown could be achieved.

The fact is that this seems to have been impossible on quite elementary economic considerations, and we—my association and the neighborhood council found themselves in a position of having to oppose the task force agreement at the time of its execution, and they are on record as doing that.

It seems to me that there is something sort of fundamental in that, that there isn't a free lunch, and, therefore, I am very pleased to know that your bill is before us and I am very hopeful of its success.

Senator HATFIELD. Mr. Scott, I believe you are part of the D.C. Recreation Department are you not?

Mr. SCOTT. Not officially.

Senator HATFIELD. Do you have any evaluation to make on the recreation potentials of the development plan versus the all-park plan? What kind of recreational possibilities exist in the two proposals?

Mr. SCOTT. Mr. Chairman, I would say that an overall recreational plan for the District of Columbia as a whole, that it would be my personal evaluation that we are sadly lacking.

It would be my evaluation that the District of Columbia as a whole is lacking in the necessary resources as leads to human services or social services, whatever you want to refer to them as.

In my particular community we have been trying for several years to get a comprehensive recreation center, which is what we consider to be up in the northeast. We are in need of recreational facilities there.

I don't know what the planning is that relates to that. If you are talking about the Park Service versus the D.C. Department of Recreation, that is another question.

You have situations where I personally, from the experience that I have had, that the relationship at one time or another was one of who is going to produce the most programs and whether or not the Park Service deals programatically with programs as relates to whatever program it may be, whether or not there is a concern by the Department of Recreation to come in.

These things in my opinion, from my experience again, but if you just ask me point blank, do I think we need additional recreational facilities, I would say yes. We have been supportive of a program for the Anacostia River, whether or not the Potomac will ever be clean again.

That question still remains unanswered. We have a problem that relates to the effluent being dumped over from the reservoir down there. All of these questions still remain unanswered.

To get back to a planning philosophy, whether or not we are going to deal with the elements of comprehensive planning, deal with the economic aspects of it, look at the kinds of development coming into this District and say just a minute, will this kind of economic development provide jobs for the residents of the District of Columbia.

I say no. It is a big question mark. We can talk figures all we want. But the kind of development is not adding to the unemployment relating to the citizens of the District.

They got a white elephant as far as I am concerned. That is the way I view it.

When they start talking about 4,000 jobs, the question remains, who are these jobs for. What kinds of jobs are they?

If you are dealing with economics as well as development aspects, what the Government is telling you isn't the actual facts, or whether or not development is going to be the kind of development that is going to take care of all of the problems that relates to the elements of the comprehensive plan for the District of Columbia,

Senator HATFIELD. Thank you very much.

Are there any other comments that any person wishes to make?

I just want to thank all of you, the citizens panel, all the environmental groups, the developer, Mr. Miller, the members of the Park Service, the Planning Commission, the Fine Arts Commission, and Members of the Congress.

We have another statement for the record from Mr. Michael Sussman which will be placed in the record at this time.

[The prepared statement of Mr. Sussman follows:]

STATEMENT OF MICHAEL SUSSMAN, BUSINESSMAN, GEORGETOWN

My name is Michael Sussman, I am a 15-year resident of Washington, a former D.C. school teacher, an attorney and I own and operate a small business in Georgetown. I am here to speak in favor of the proposed limited development of the Georgetown waterfront.

It's time Georgetown (and Georgetowners) took its head out of the sand and understood the consequence of its actions. Georgetown failed its test on the metro subway system and it seems that we are doomed to congestion and auto traffic forever. Georgetown now has a fantastic opportunity to have a blend of a residential and commercial area in a beautiful, useful park which will benefit all of its residents, all of Washington and the entire metropolitan area. It's time that the tail stopped wagging the dog and a select few, a clear minority does not again speak for Georgetown.

As I see it, the present development will benefit the city and Georgetown in a number of important ways.

1. The city will receive the gift of millions of dollars worth of property for all its citizens to enjoy at a cost of nothing.

2. The city would receive millions of dollars of tax revenue every year from this small project. These taxes include a real estate tax on the value of the land and buildings, sales tax paid by consumers and income taxes paid by the new residents. These new taxes will lower the total tax obligation of all city residents and home owners (of which I am one). In addition it should be realized that these tax dollars will increase every year as valves and income go up.

3. The proposed development will replace a blighted, polluting and ugly area now, with commercial and residential development and a park that will be beneficial and useful to present residents of the area. Having lived within a mile of the area for fifteen years this is very important.

4. The mixed development makes the city and the proposed park more enjoyable and usable by the residents. They enhance each other. Think about the miles and miles of river front park we now have in the city—along Rock Creek, the Kennedy Center, the C. & O. Canal, and East Potomac Park. This particular park can utilize its location and became an urban mix, as it is in an urban setting. The other riverfront land is devoid of all except nature, this can blend nature with the city. The things which will make this park beautiful and usable by the residents is the fact that one can come down to the river to walk, perhaps have lunch, shop, visit friends, rent a bicycle, take a boat ride, and still be able to have acres of park land to enjoy.

5. Finally, the most attractive part. We can have this park now, for nothing, and it will be maintained by the Federal Government. The alternative—millions of dollars of taxpayers money, years of waiting years, of law suits, and no tax dollars. It's time to approve this project now, instead of allowing it to become a perpetual lawyers/planners relief act. The citizens need it, the city needs it and Georgetown needs it. It's time the citizens stopped the government, the embassies and other public organizations from making this place into a museum rather than a normal and decent place to live.

Thank you.

Senator HATFIELD. The record will be kept open for 2 weeks for any additional statements that anyone wishes to make.

If there are no other comments or witnesses to be heard, then the hearing is adjourned.

[Whereupon, at 12:55 p.m., the hearing was adjourned.]

APPENDIX

Additional Material Submitted for the Record

COUNCIL OF THE DISTRICT OF COLUMBIA,
Washington, D.C., March 13, 1980.

Hon. DALE BUMPERS,
Chairman, Subcommittee on Parks and Recreation of the Energy and Natural Resources Committee, Washington, D.C.

DEAR SENATOR BUMPERS: I would like to go on record as supporting S. 1495, introduced by Senator Hatfield, in which the Federal Government would acquire the Georgetown Waterfront property, south of K Street, N.W., for use as a Federal Park.

Very sincerely,

POLLY SHACKLETON,
Councilmember, Ward 3.

THE CONSERVATION FOUNDATION,
Washington, D.C., April 1, 1980.

Hon. DALE L. BUMPERS,
Chairman, Subcommittee on Parks, Recreation and Renewable Resources, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to support S. 1495, a bill that would authorize acquisition by the Secretary of the Interior of six acres of privately owned land adjacent to the Georgetown waterfront for inclusion in the national park system.

Across the country, one community after another is rediscovering its waterfront after decades of decline and neglect. They are discovering they have overlooked or underestimated the degree of economic, amenity and recreational value of reclaimed publicly accessible waterfronts.

Years ago the city fathers of Chicago exercised considerable wisdom in acquiring the land along the Lake Michigan waterfront for public use. The popularity of Chicago's lakefront today is testimony to their foresight. This session the Congress of the United States has an opportunity to complete a venture of similar vision by securing public access to what I understand is one of the last, if not the last, unprotected stretch along the waterfront of our Nation's Capital.

I urge your serious attention to S. 1495.

Thank you for your interest in this matter.

Sincerely,

WILLIAM K. REILLY, *President.*

CHESSIE RESOURCE, INC.,
February 28, 1980.

Re Committee on Energy and Natural Resources, Subcommittee on Parks, Recreation and Renewable Resources

Hon. MARK O. HATFIELD,
U.S. Senate, Washington, D.C.

DEAR SENATOR HATFIELD: It has come to our attention that, as the ranking minority member of the Parks, Recreation and Renewable Resources Subcommittee, you have called a hearing for Monday, March 3 to consider a proposed bill to designate a substantial area within Georgetown along the Potomac River as a federal park. Since I am unable to be present at the hearing, I am asking that this

letter be read into the record to evidence our grave concern over the action that is being considered.

Chessie System, through one of its subsidiaries, has owned a substantial portion of the property affected by this proposed legislation since the turn of the century, and, together with Western Development Corporation, is a contract purchaser for a substantial additional port of the area.

Under the aegis of one of your colleagues, Senator Mathias, a major intergovernmental task force was organized with representation from the Department of Interior, the National Capital Planning Commission, the National Park Service, and Mayor Barry's Office. The charge given to this group was to balance the desire of the public for park land and open space with the legitimate private development objective for improvements to the property. This was, at the time, hailed as a major milestone in promoting federal, District and private interests to work together toward a common goal of improving the planning process for such an important area of the City. As a result of this extensive analysis and the substantial public input it involved, the agreed upon development concept included planned park areas and major concessions by us on density and design to a level much below that allowed by current law and zoning regulations.

This task force effort culminated in the forml execution of a contract between all involved participants at a publicly held press conference last July. Signing the agreement were the Secretary of Interior Cecil D. Andrus, Mr. David M. Childs, Chairman of N.C.P.C., Mr. James O. Gibson for Mayor Barry, Messrs. Herbert Miller and Richard Kramer, our partners, for Western Development Corporation, and me for Chessie.

The resulting compromise would assure that the greater part of the site would be devoted to park land. Under our plan the public would be assured of access to the entire river front and the adjoining banks of Rock Creek Park. But, even with this heavy emphasis on park land and open spaces, the development would produce between $4½ and $5½ million in new tax revenues to the District government each year. In a time when the District's finances are in such a troubled state and many members of Congress are seeking to reduce federal expenditures, the proposed bill seems extremely ill advised. It provides only limited additional park land benefits when compared to our proposal but would involve spending more than $25 million in federal funds and would significantly reduce the local tax base.

Your current effort to consider creation of a park on the entire property after the intensive study and formal agreement by all levels of government creates a heavy cloud of doubt over the credibility of the federal government to make meaningful commitments which will be honored once made.

In order to restore a feeling of confidence in these firm commitments, we urge that you withdraw the proposed legislation or, in the alternative, permanently defer any further consideration until the purpose and intent of the task force agreement has been given the opportunity to be carried out.

I trust our comments of objection and concern regarding this proposed legislation will be appropriately considered by your committee.

Yours truly,

R. C. McGOWAN.

THE CONSERVATION FOUNDATION,
Washington, D.C., April 1, 1980.

Hon. MARK O. HATFIELD,
U.S. Senate, Washington, D.C.

DEAR SENATOR HATFIELD: I am writing to support S. 1495, a bill that would authorize acquisition by the Secretary of the Interior of six acres of privately owned land adjacent to the Georgetown waterfront for inclusion in the national park system.

Across the country, one community after another is rediscovering its waterfront after decades of decline and neglect. They are finding that it is hard to underestimate the economic amenity and recreational value of reclaiming waterfronts for public use.

Years ago the city fathers of Chicago exercised wisdom in acquiring the land along the Lake Michigan waterfront for public use. The popularity of Chicago's lakefront today is testimony to their foresight. This session the Congress of the United States has an opportunity to complete a venture of similar vision by securing public access to what I understand is one of the last, if not the last, unprotected stretch along the waterfront of our Nation's capital.

I urge your serious attention to S. 1495.

Thank you for your leadership in this matter.
Sincerely,

WILLIAM K. REILLY, *President.*

ANN SATTERTHWAITE, A.I.P., PLANNING CONSULTANT,
Washington, D.C., March 7, 1980.

Senator MARK O. HATFIELD,
U.S. Senate, Washington, D.C.

DEAR SENATOR HATFIELD: I strongly support S. 1495 and would like this letter and its enclosures included in the record for the March 3rd hearing on S. 1495.

I am a Georgetown citizen, board member of the Citizens Association of Georgetown, and an environmental planner. I have had considerable experience in recreation, historic preservation and environmental planning. I worked on the two national recreation studies conducted by the federal government, the Outdoor Recreation Resources Review Commission's study in 1962 and the Urban Recreation Study by the Department of Interior in 1978. I have also been involved in waterfront planning studies and committees, most recently the National Academy's Committee on Urban waterfront Lands.

S. 1495 provides an opportunity to fill in the missing link in Washington's world reknown river and stream valley system, provide much needed recreation for Washington's inner city neighborhoods, and at the same time protect a critical floodplain.

This bill follows the heritage of our forefathers in creating a capital city which is known around the world for its grace, beauty, and monumentality. Parks and open space have been an important part of this heritage. The District of Columbia has recognized that heritage in its recent support for the full park. Earlier statements indicated that a philosophy of maximizing tax revenue and using left-over land for parks held sway. If that philosophy had guided our forefathers, there would be no Mall, Ellipse, nor shoreline parks.

This bill follows the recommendations of all recreation studies and plans that waterfront recreation is of the highest priority, and especially close-in waterfront recreation. The Outdoor Recreation Resource Review Commission, Interior's Urban Recreation Study, the Office of Coastal Zone Management, and the Heritage Recreation Conservation Service have all confirmed that priority. In this region, the National Capital Planning Commission's 1985 Plan for Regional and National Park System in its 1967 Comprehensive Plan designated the Georgetown waterfront as parkland. More recently the District's State Comprehensive Outdoor Recreation Plan for 1978–79 recommends that "maximum use made of open space along the waterfront."

Moreover, the land is located in a critical floodplain—a twenty year floodplain in some areas. Federal policies have been designed to discourage development in floodplains. As Executive Order 11988 states, agencies should avoid floodplain development "whenever there is a practicable alternative". S. 1495 is a practicable alternative.

S. 1495 can serve not only the citizens of the Nation's Capital and its visitors, but can offer an example to the rest of the country of how a riverfront's floodplain can be protected while providing imaginative recreation opportunities and enhancing the city's beauty.

Sincerely,

ANN SATTERTHWAITE.

Enclosures.

STATEMENT FOR THE TOWN MEETING ON THE GEORGETOWN WATERFRONT AND PARK PLAN ON FRIDAY, APRIL 20, 1979 BY ANN SATTERTHWAITE

I am an urban planner with a specialty in recreation planning. I worked on the two national recreation studies, the Outdoor Recreation Resources Review Commission in 1962 and the Urban Recreation Study of 1978. I am currently a member of the National Academy of Science's Committee on Urban Waterfront Lands.

I support the proposal that all the land south of K Street along the Georgetown waterfront should be a public park for the enjoyment of the present and future residents of Washington as well as for the enhancement of the Nation's Capital's front door. I seriously question the recreation planning process and the recreation recommendations of this task force.

The waterfront land along the Potomac in Georgetown meets the highest priority recreation needs: close-to-home and water-oriented recreation. In study after study those two needs have ranked highest among recreation users. Both the Outdoor

Recreation Resources Review Commission's study and the Department of Interior's Urban Recreation Study viewed urban waterfront land as critical land for recreation use. The D.C. Government has also recognized the priority of waterfront land for recreation in its 1978-79 State Comprehensive Outdoor Recreation Plan with its recommendation that "maximum use should be made of the open space along the waterfront."

Yet maximizing tax returns and utilizing lands leftover from development seem to make up the philosphy that have guided the recreation policies for this task force. If that philosophy had guided our forefathers, there would be no Mall, Ellipse, nor all the parks for which Washington is known around the globe.

The Georgetown waterfront and especially the triangular piece of land from Wisconsin to Rock Creek offer the only opportunity for a park with some depth along the Potomac. The rest of the waterfront from Georgetown to Anacostic including Hains Point has only a narrow strip park with room for just a pathway, benches and some green. Not only are these strips of park narrow, but they are abutted by parkways.

There was another opportunity for a wide waterfront park on the Potomac . . . at Buzzard's Point, the spectacular juncture of the Potomac and Anacostia Rivers. That recreation opportunity was lost to the overriding philosophy of maximizing tax returns despite the wide recognition of the need for parks in the Southwest and the D.C.'s 1974 State Comprehensive Outdoor Recreation Plan recommending Buzzard's Point as a waterfront park and community recreation center. The destruction of Buzzard's Point is a lesson those of us concerned with recreation opportunities in D.C. cannot forget, especially when faced with the last chance for a wide waterfront park on the Potomac.

Aside from my concern about the philosophy of treating recreation as land left over from tax producing development, I am puzzled about the recreation planning process. Recreation planning is not deciding what landscaping should go where or what types of facilities should be developed. Recreation planning involves analyses of recreation demand—of who might use what where—studies of potential of the physical resources, and development of administrative and financial tools. From an earlier meeting of the task force, it appears from the Park Service presentation and responses to questions that little analysis was made of the recreation demand, the most basic part of a recreation plan. The members of the task force interested in recreation seemed to be waiting to see what land would be left for recreation which they would then "design". That's not recreation planning.

The Georgetown waterfront park will serve not only Georgetown, but also Foggy Bottom, West End, and Dupont Circle. These neighborhoods with over 32,000 people today are undergoing massive redevelopment which will alter radically their densities, scale, and makeup. These will be crowded neighborhoods for Washington. And the recreation opportunities in these neighborhoods are few and far between so a waterfront park becomes especially important. A younger, smaller family unit seems to be moving into these neighborhoods and for such young professional people interest in the outdoors, exercise and amenities seems to abound. The land abutting Rock Creek and the Potomac offer the main opportunities for recreation for these neighborhoods and it seems incredible that in an age when recreation demand is rising that a major chance for a waterfront park in spurned. Not only does it seem incredible that DC is losing an opportunity for a waterfront park which could serve four neighborhoods—Georgetown, Foggy Bottom, West End, and Dupont Circle—but it is not heeding a key recommendation of the Department of the Interior in its 1978 Urban Recreation Study that recreation opportunities should be maximized and existing recreation resources conserved along urban rivers nor its Recreation Dept's recommendations. The welfare of four neighborhoods in Washington should be more important than the welfare of two property owners and one developer on the Georgetown waterfront.

I urge the task force to reconsider its recommendations and seriously explore the possibility of a total park waterfront along the Potomac south of K Street in Georgetown.

STATEMENT BY ANN SATTERTHWAITE, AICP, AT THE MEETING ON THE ENVIRONMENTAL DOCUMENTATION OF THE GEORGETOWN WATERFRONT PARK ON NOVEMBER 20, 1979

I am here as a Georgetown citizen, member of the Committee for a Riverfront Park, and as an environmental planner. I have had considerable experience in recreation and environmental planning. I worked on the two national recreation studies conducted by the Federal government, the Outdoor Recreation Resources Review Commission in 1962 and the Urban Recreation Study in 1978. I have also

been involved in waterfront planning studies and committees, most recently the National Academy of Science's Committee on Urban Waterfront Lands.

I welcome the opportunity to participate and I hope assist the National Capital Planning Commission and the National Park Service in scoping alternatives and environmental issues for the Georgetown Waterfront Environmental Impact Statement. This new step in the EIS process provides a good chance to identify significant issues so the EIS can be concentrated and to the point. And I must stress that it seems essential to me that an EIS be undertaken for this Georgetown waterfront proposal as I will explain in this statement.

Particularly important in this EIS process is the discussion of alternatives. As CEQ's regulations state, the section on alternatives "is the heart of the EIS." (1502.14). In the case of the Georgetown waterfront EIS, we look forward to a rigorous exploration and objective evaluation of alternatives.

As requested, I will discuss the park and park alternatives, although it means approaching the proposed action from the back door. We are concerned basically with the alternative uses and their environmental impacts of the land from almost Wisconsin Avenue to Rock Creek and from K Street to the Potomac River. That land is the subject of the Memorandum of Agreement of July 13, 1979 and the Memorandum of Agreement is the Federal Action, not just the park part of that Agreement.

Of all the alternatives, I endorse the full park alternative as it generates the fewest adverse environmental impacts while providing the greatest number of public benefits of all the alternatives presented. On the other hand the actions proposed in the MOA appear to generate the greatest adverse environmental impacts and the fewest public benefits of all the alternatives.

The public benefits of the park alternative are consistent with Federal policies, guidelines, legislation, programs, and executive orders on recreation, environmental protection, and waterfront rehabilitation. It is important to stress these benefits and their significance.

The waterfront land along the Potomac in Georgetown meets the highest priority recreation needs: close-to-home and water oriented recreation. In study after study those two needs have ranked highest among recreation users. Both the Outdoor Recreation Resources Review Commission's study and the Department of the Interior's Urban Recreation Study viewed urban waterfront land as critical land for recreation use. The Office of Coastal Zone Management, the National Endowment for the Arts, and the Heritage Conservation and Recreation Service in the Department have confirmed those conclusions recently. Locally, the D.C. Government has also recognized the priority of waterfront land for recreation in its 1978–79 State Comprehensive Outdoor Recreation Plan with its recommendation that "maximum use should be made of the open space along the waterfront." The National Capital Planning Commission's 1985 Plan for Regional and National Park System in its 1967 Comprehensive Plan designated the area covered by the Memorandum of Agreement as park land.

Rehabilitation of deteriorated waterfronts like the Georgetown waterfront has been the subject of innumerable Federal studies recently. In all of these studies, the message has been loud and clear: protect the resources and maximize the recreation opportunities.

Here on the Georgetown waterfront we are faced with the simple fact that it is a floodplain—definitely a 100 year floodplain, and probably a 50 year floodplain. And because of that the Georgetown waterfront is subject to the floodplain management guidelines for implementing Executive Order 11988—Floodplain Management requiring agencies to avoid floodplain development "whenever there is a practicable alternative." We have a practicable alternative in Senator Hatfield's and Congressman Stark's bills.

Aside from these public benefits, there is the national significance of the location and disposition of this waterfront tract. As the last piece of undeveloped Potomac waterfront in the Nation's Capital, the Georgetown waterfront offers the opportunity to set an example of how waterfront land can be rehabilitated so recreation opportunities can be increased, the environment protected, and natural beauty enhanced. Certainly the Nation's Capital does not want to undertake actions which will fly in the face of twenty-five years of Federal policies and programs—nor does it want to add adverse environmental impacts to the city. The Georgetown waterfront gateway to the Nation's Capital deserves what has been planned for it—a full park.

Now for a discussion of the scope of the key environmental issues. As this is a scoping session and we have only seen the map and the Memorandum of Agreement, we have limited technical information. Thus, we can only point to what

appear now as some of the key environmental issues. The adverse environmental impacts are obviously reduced with the full park alternative and increased with the proposed action. Only through the analysis of an EIS can we understand the relative impacts of different alternatives. At this time it seems clear to those of us who have been studying this waterfront proposal in Georgetown that the following environmental issues are some of the major issues which need to be addressed in the EIS. To support our findings, statements from experts are being sent to Mr. Griffith for inclusion in the record by November 30, 1979. The key environmental issues are: (1) floodplain protection; (2) traffic; (3) recreation; (4) air quality; (5) esthetics; (6) history, culture, archeology; (7) noise.

Others will speak on the importance of these individual environmental issues so let me conclude by stating that I endorse the full park alternative, I am concerned by the range and the depth of environmental issues at stake, and I look forward to the rigorous examination of these issues and alternatives in the EIS on this proposed Federal action. As NCPC stated in its latest regulations for NEPA, "In view of the unique Federal presence at the seat of government, a special effort should be made in the National Capital Region to implement the National Environmental Policy Act." This Georgetown waterfront proposal deserves that special effort.

STATEMENT BY ANN SATTERTHWAITE, AICP, TO THE COMMISSION OF FINE ARTS ON THE WESTERN DEVELOPMENT PROPOSAL FOR THE GEORGETOWN WATERFRONT, DECEMBER 11, 1979

Washington is a city known around the world for its grace, beauty, and monumentality. And this is in part due to its open spaces—its wide aveunes, the Mall, Ellipse, and its park system. Washington is one of the few cities in the world with an extensive stream valley and river park system.

However, there are some missing links in this park system. Perhaps the most prominent missing link is the Georgetown waterfront section. Now we have a proposal to fill in that missing link with a megastructure whose frontyard would be open to the public. That is scarcely in keeping with the park heritage of this nations's capital. It is like filling the missing link in an emerald necklace with a cinder.

Maximizing tax revenue and using leftover land for parks seem to be the philosophy guiding this proposal. If our forefathers had had that philosophy, this city would have no Mall, Ellipse, nor all the parks for which this city is known around the globe.

The public values of this waterfront land in Georgetown are high. This land can provide recreation, protect a critical resource like a floodplain, and it can enhance the beauty and livability of this city.

Waterfront land is top priority for recreation and resource protection. Rehabilitation of deteriorated waterfronts like Georgetown's have been the subject of innumerable federal studies and reports. In all of the studies, the message had been loud and clear: protect the resources and maximize the recreation opportunities.

As a park this waterfront land in Georgetown provides the only wide tract of land on the Potomac. The rest of the Potomac is bound by a narrow strip of park land with room only for pathways, benches, and some green. Not only is this strip of park along the Potomac narrow, but it abuts parkways.

This waterfront land meets the highest recreation needs: close to home and water oriented recreation. The Outdoor Recreation Resources Review Commission, Interior's Urban Recreation Study, the Office of Coastal Zone Management, and the Heritage Recreation Conservation Service all have confirmed waterfront recreation's high priority. The National Capital Planning Commission's 1985 Plan for Regional and National Park System in its 1967 Comprehensive Plan designated the Georgetown waterfront as park land. More recently the District of Columbia recognized the high priority of waterfront land for recreation in its 1978-79 State Comprehensive Outdoor Recreation Plan in its recommendation that "maximum use should be made of open space along the waterfront."

A total park at the Georgetown waterfront integrated into the National Park system would serve the entire city. Many of the nearby landlocked parts of the city have high densities and extreme deficiencies in parks. For example, the Dupont Circle area had 19,000 residents with a density of 61 persons per gross acre, which is more than three times the city's average density. Yet there are only 6 acres of recreation and open space land in the Dupont Circle area of which only 2 acres are for active recreation. This is way below the city's recreation standard. The Georgetown waterfront is only 20 minutes from the Dupont Circle area and would provide much needed recreation and open space for that area as well as for Foggy Bottom and other inner city neighborhoods short on recreation land. With the Foggy

Bottom subway nearby and a parking lot at the Thompson boat house access is readily available to the whole city—and metropolitan region.

I urge the Commission to reject the inappropriate and out of scale development proposal of Western Development Corporation for the Georgetown waterfront and to support the full park proposal for this site. The missing link in the emerald necklace of riverfront parks in this city should be filled with a green park which fits into the park heritage of this region, enhances the city's beauty, and also provides much needed recreation for present and future residents of this city.

KENSINGTON, MD., *March 17, 1980.*

HON. MARK O. HATFIELD,
U.S. Senate, Washington, D.C.

DEAR SENATOR HATFIELD: I am writing in reference to your bill S.J. 1495 and I most sincerely hope it can be made part of the record of your bill.

I came to Washington in 1928 as a landscape architect on the staff of the National Capital Planning Commission and after I transferred to the National Park Service in 1931 as Assistant Director in charge of the Branch of Lands which had the responsibilities of investigation of new areas to be included in the National Park System, adjustment of boundaries, and the cooperation with the states and their political subdivision and the National Capital Park System included. In that position I attended most of the national Capital Planning Commission with the Directors of the National Park Service or as his alternate when he could not make it. I was a full time member of the Planning Commission for the 12 years that I was Director of the Service and as a citizen member appointed by the President for six years after I retired from the Service in 1964. With this background of experience, I was delighted to be asked by Secretary Andrus to take part in a meeting of some 20 people, some professional and civic leaders, to discuss and suggest what should be done to insure the preservation of our Nation's Capital, beautiful city that it is and as it was planned, because there have been serious mistakes made and there are plans for further encroachment.

It is not my intent to bring up at this time the mistakes that have already been made, not so much by the planner but by special political interest, but there is one on the fire now that I can't let go by that would be terrible if it is approved. It is the monstrosity that is being pushed and being pushed hard by private interest along the Gerogetown Potomac River waterfront between Key Bridge and Rock Creek. I have seen the plans for the monstrous long, tall red brick building to be built facing within a few feet of the waterfront and its back extends high above the Whitehurst Freeway, and I have seen the alternative that is now under consideration. All through the years the George Washington Memorial Parkway has planned to extend from above Great Falls on both sides of the Potomac River down to Mount Vernon on the Virginia side and to Fort Washington on the Maryland side. Congress said this shall be done and so did the States of Maryland and Virginia. All of the shoreline, with maybe a few small exceptions, on the Maryland side down to Key Bridge is now in the park. This includes the C. & O. Canal which originally started at the mouth of Rock Creek. From the land in question, one can look down the River and to your right is Roosevelt Island, a natural wood island, a memorial to the great conservationist, Theodore Roosevelt, and on, there is the Kennedy Center with the Eisenhower Theater, a memorial to two more great Presidents and beyond that is the Linclon Memorial across from the Memorial Military Cemetery with Robert E. Lee's old home connected by the Memorial Bridge, a memorial to the South and the North. The only interference with this view is the U.S. 50 highway bridge that was built instead of building a tunnel—that is one fight we lost, I'm sorry to say.

Getting back to the site of the monstrosity, it is to be built on a flood plain! The so-called Potomac River at this location is subject to tides which extend a short distance above the Key Bridge where it meets the fresh water and the tides are high for one reason or another floods are not unusual and that is one reason why they built the Whitehurst Freeway two stories high.

I strongly uge that the permit to build commercial shops and residential buildings on any of the lands between the Key Bridge and Rock Creek and the Whitehurst Freeway and the Potomac River and that this land which is within intended boundaries of the George Washington Memorial Parkway be purchased and put to park uses.

Within reasonable cost it could be graded to act as a natural flood dike and planted with trees of the conifer type which would help screen the elevated highway and still provide a pleasant park for the use of the public

In my opinion to allow the building on this piece of property in the George Washington Memorial Parkway would be a big mistake. Further, if handled right, this could be developed very easily into a fine growth of mixed trees and be known as the FDR Grove. He, like President Theodore Roosevelt, was an outdoors man greatly interested in conservation. As President he launched one of the greatest conservation programs this country has ever had of which the Civilian Conservation Corps was a part. The CCC provided for the conservation of natural resources and human resources. This would be a living memorial to FDR. Most people do not realize but it was through the efforts of FDR and Harold Ickes that the C. & O. Canal up to Cumberland was obtained from the B. & O. Railroad. I am not saying this is the only thing we should do to commemorate Franklin Delano Roosevelt, but it is one that would mark one of the great historic accomplishments that he had a lot to do with.

The George Washington Memorial Park was established jointly between the Federal Government and the States of Virginia and Maryland. When the District Highway Department started to build a proposed Three Sisters Bridge a short distance up river from Key Bridge, the Court stopped them, in part because of this agreement between the states and the Federal Government. It is true that the land they wanted for the bridge was parkland; however, this land now in question would be part of the Parkway when funds are made available. These funds should now be made available through the Land and Water Funds.

I urge, I beg, I pray—don't let them build that monstrosity on the lnad that righfully is private land within the boundaries of the George Washington Memorial Park. It will be regretted and it will be an eyesore for generations to come.

Sincerely,

CONRAD L. WIRTH.

GEORGETOWN ANTIQUE FAIR & FLEA MARKET,
Washington, D.C., March 3, 1980.

Hon. MARION S. BARRY, JR.,
District Building, Washington, D.C.

DEAR MAYOR BARRY: As a fifteen-year resident of Washington, a former D.C. schoolteacher, an attorney and now a small businessman, I write this letter to urge you to support the proposed plan to allow proper and beneficial development of the Georgetown Waterfront. It is my opinion that the planned project will be of a major benefit to the entire city aesthetically, socially and economically.

First, as a resident who has lived within a mile of the site for fifteen years it would replace a blighted, polluting and ugly structure with useful commercial, residential park space which would help serve the needs of residents for years to come. In addition this would be done now and could be used now not twenty years down the line.

Second, this proposed project would bring to our city much-needed revenues and tax dollars. This includes real estate taxes, income taxes (of the new residents) license fees and sales tax from the new commercial establishments as well as large amounts of construction dollars. At a time when the city and therefore its residents are strapped for tax dollars, this is one way of increasing the amount of tax collected without placing an additional burden on those now being taxed. As a homeowner, I see this as a way to broaden the tax base and spread the cost for the city's services over a larger area.

Third, I believe that this project is a balance between park land and land which the citizens can utilize for living and working purposes. This is critical as every day the Governments, the Embassies, the nontaxable institutions take more of your land and leave us less and less to use. If this city is ever to be a state, it needs to look more like a normal place to live and less like a museum.

Finally, I see this project as a way for the city to acquire the park land now, enjoy it and allow the Federal Government to provide the maintenance. This comes at a time when the city needs every dollar of help it can get in order to maintain its present parks and recreation facilities.

I hope this letter is helpful in bringing to your attention my feelings and allowing you to make your decision based upon what the entire city needs. If you would care

to discuss this matter further, or have any questions to ask of me as a resident and businessman, please do not hesitate to call.

Sincerely,

MICHAEL SUSSMAN,
Owner, Georgetown Antiques Fair & Flea Market.

NATIONAL CAPITAL PLANNING COMMISSION,
Washington, D.C., December 27, 1977.

Hon. CECIL D. ANDRUS,
Secretary of the Interior,
Washington, D.C.

DEAR SECRETARY ANDRUS: We would like to bring to your attention a matter concerning the development of the park system in Washington, and the potential it has for the President's program and his interest in the area of planning.

There are several key parcels of riverfront land, bordering the Anacostia and Potomac rivers, that have for many years blighted the appearance of the National Capital. One area frames a view of the U.S. Capitol around its major approach from the south, and the other, the waterfront of the registered historic district of Georgetown, directly adjoins the John F. Kennedy Center for Performing Arts and two major parks, and is an integral part of the experience of entering the capital from either of its two airports, an experience otherwise enhanced by the Department of the Interior's beautifully maintained George Washington Memorial Parkway.

One of these parcels, the Georgetown waterfront, already represents a large vested Federal interest, having been purchased several years ago with 90-10 funds for interstate highway purposes. Plans for the highway as an interstate facility are now essentially abandoned.

These waterfront properties are either vacant or improperly used at the present time, but intensive development is likely in the very near future. Proposals for interim uses along the Georgetown waterfront include a car impoundment lot, Sanitary Truck parking facilities, and off-street parking. These uses are inappropriate for this frontyard location to the setting of our Nation's Capital. If these lands are to be made a part of the park system, and they should be, now is the time to do it. We believe, however, that only through the support of the Administration can it be accomplished.

As Chairman of the National Capital Planning Commission, I am submitting this proposal jointly with the Chairman of the Commission of Fine Arts. Both our agencies have long been involved with the development of the Capital. We will be happy to provide whatever information is needed to support this proposal. We would also be happy to meet with you, and at the appropriate time to tour the land in question, so you will have first-hand knowledge of how important these areas are.

Sincerely yours,

DAVID M. CHILDS, *Chairman.*

THE COMMISSION OF FINE ARTS,
Washington, D.C., December 27, 1977.

Hon. CECIL D. ANDRUS,
Secretary of the Interior,
Washington, D.C.

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Sincerely yours,

J. CARTER BROWN, *Chairman.*

KENSINGTON, MD., *December 14, 1979.*

Mr. J. CARTER BROWN.
Chairman of the Fine Arts Commission,
Washington, D.C.

DEAR MR. BROWN: I came to Washington in 1928 as a landscape architect on the staff of the National Capital Planning Commission and in 1931 transferred to the National Park Service as Assistant Director in charge of the Branch of Lands. That branch had responsibility for investigation of new areas for the National Park System, including the National Capital Parks, adjustment of boundaries, and cooperation with the States and their political subdivisions. In that position I attended most of the National Capital Planning Commission meetings, either with the Director of the National Capital Service or as his alternate. I subsequently became a member of the Planning Commission for 12 years in my capacity as Director of the Park Service, and for an additional six years after that, by appointment by the President following my retirement from government service in 1964. With this background of experience I was delighted to be asked by Secretary of the Interior Andrus to take part in a meeting of some 20 professional and civic leaders to discuss and suggest what should be done to insure the preservation of our nation's Capital, beautiful city that it is and was planned to be, because there have been serious mistakes made in the past and there are plans for further encroachment on the Capital's superlative features.

It is not my purpose to review the mistakes that have already been made, not so much by planners as by special political interests, but rather to express my strenuous opposition to a newly proposed encroachment on land reserved for park purposes in the District of Columbia. I refer to the monstrosity that is being pushed hard by private interests for construction along the Georgetown Potomac River waterfront between Key Bridge and Rock Creek. I have seen the plans for a long and tall red brick building to be erected facing within a few feet of the waterfront and rising high above the Whitehurst Freeway. Down through the years the George Washington Memorial Parkway has been planned to extend from above Great Falls on both sides of the Potomac River to Mount Vernon on the Virginia side and Fort Washington on the Maryland side, with the approval of Congress and the States of Maryland and Virginia. All of the shoreline, with possibly a few small exceptions on the Maryland side down to Key Bridge, is now within the park. This includes the C. & O. Canal, which originally started at the mouth of Rock Creek. From the site in question, one can look down the river to Roosevelt Island, a natural wooded island memorializing the great conservationist, Theodore Roosevelt, and the Kennedy Center with its Eisenhower Theatre, a memorial to two other great Presidents. Farther down the river, there is the Lincoln Memorial, and across Memorial Bridge stands Robert E. Lee's old home within Arlington National Cemetery. There is only one serious interference with this view, and that is the U.S. 50 highway bridge that was thrown across the river instead of building a tunnel. That was one fight we lost, I regret to say.

Getting back to the site of Georgetown monstrosity, it is proposed to build this thing on a flood plain! At this location the Potomac is subject to tides which extend a short distance above Key Bridge where they meet fresh water. In periods of heavy rain, the river is full of water and when the tides are high, floods are not unusual, which is one reason the Whitehurst Freeway was built two stories high.

In view of these facts and considerations, I strongly urge that no permit be granted to erect a commercial, residential or any other type of building on the islands between Key Bridge and Rock Creek, and the Whitehurst Freeway and Potomac River, and that this land, which is within intended boundaries of the George Washington Memorial Parkway, be purchased and put to park use. Within a reasonable cost this site could be graded to act as a natural flood dike and planted with trees of the conifer type which would help screen the elevated highway and still provide a pleasant park for the use of the public. In my opinion, to allow building on this piece of property intended for the George Washington Memorial Park would be a grave mistake, especially if the particular plans now before the Fine Arts Commission are approved.

If properly developed, this area can become a fine grove of mixed trees which might well be designated the Franklin D. Roosevelt Grove. FDR, like President Theodore Roosevelt, was an outdoors man greatly interested in conservation. As President he launched one of the greatest conservation programs this country has ever had, of which the Civilian Conservation Corps was an important part. The CCC provided for the conservation of both natural and human resources. Consequently, this would be a living memorial to FDR. Most people do not realize that it was through the efforts of President Roosevelt and Interior Secretary Harold L. Ickes that the C. & O. Canal all the way up to Cumberland was obtained from the B. & O. Railroad for historic park purposes. The transfer provides that it shall never be used for commercial purposes. I am not suggesting that this is the only thing we should do to commemerate Franklin Delano Roosevelt, but this type of memorial would mark one of the great historic accomplishments for which he must be given credit.

And of the subject of FDR, I also believe strongly that Camp David, the presidential retreat in the Catoctin Mountains near Thurmont, Maryland, which the President called Shangri-La, should either have its original name restored or be renamed Camp Roosevelt. He made the final selection of the site, drew the original sketch from which the plans were drawn, and made many trips up there during construction. I was his contact man in the National Park Service in charge of getting the Camp completed, and I often rode with him in his car on those inspection trips. He gave us $15,000 to build it, and we had to do a lot of digging for the rest of what it cost.

Getting back to the main purpose of this letter, I urge, I beg, I pray—don't let them build that monstrosity on land that rightfully belongs to the George Washington Memorial Parkway. Otherwise, it will be regretted as another exhibit of poor planning and an eyesore for generations to come.

Sincerely yours,

DR. CONRAD L. WIRTH.

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., November 20, 1979.

Mr. REGINALD W. GRIFFITH,
Executive Director, National Capital Planning Commission,
Washington, D.C.

DEAR MR. GRIFFITH: With reference to your request of October 25, 1979, the General Services Administration, National Capital Region, would like to comment on the proposed 60-foot right-of-way planned along Rock Creek as part of the Georgetown waterfront park. This action will adversely impact the amount of space needed to perform the following critical functions associated with the operation of the West Heating Plant.

Currently overburdened rail lines if shortened in length, will act to delay some fuel deliveries.

A reduction in the area used for truck access, will make ash disposal cumbersome.

The elimination of areas used for storing pumps, tractors and loaders, will require relocation within an already crowded site.

A reduction in onsite parking would erode necessary employee and service use.

A prospectus currently under congressional study, recommends the construction of a flood-bowl to reduce the buildup of water at this site. Flooding frequently occurs along this waterfront and in the past, has severly impacted the coal and ash house.

Your attention to these issues will be appreciated. Any further questions by your staff can be directed to Mr. Thurlow E. Tibbs, Jr., of my planning staff on 472-1336.

Sincerely,

WALTER V. KALLAUR,
Regional Administrator.

ARLINGTON, VA., *November 30, 1979.*

Mr. REGINALD W. GRIFFITH,
Executive Director, National Capital Planning Commission, Washington, D.C.

DEAR MR. GRIFFITH: This letter is submitted in response to the notice of October 25, 1979 requesting citizen comments on the environmental impact of the park that is proposed in the Memorandum of Agreement Relating to the Georgetown Waterfront, dated July 13, 1979 and signed by the Secretary of the Interior, the Chairman of the National Capital Planning Commission, and representatives of the District of Columbia and Georgetown Harbour Associates, the developer.

I submit this statement as a citizen of the National Capital Area, a fairly close neighbor of Georgetown, and frequent user of the C & O Canal National Historical Park, as well as one with a long-time professional interest in public recreation and environmental quality. I served as Executive Director of the Citizens' Advisory Committee on Environmental Quality (established by the President) from 1970 to 1976 and as Deputy Director of the Bureau of Outdoor Recreation (now the Heritage Conservation and Recreation Service) in the Department of the Interior from 1962 to 1970. From 1960 to 1962, I was Deputy Director of the Outdoor Recreation Resources Review Commission.

The Memorandum of Agreement refers to the land between K Street, N.W. and the Potomac River from Key Bridge to Rock Creek. It provides for the construction of a residential-commercial structure on approximately six acres of the land and the establishment of a public park to be administered by the National Park Service on the remainder of the area. The park would consist of a 160-foot strip along the river.

The environmental impact of the proposed park would be, in my judgment, entirely favorable. The park would provide much-needed public recreation opportunities and open space in Georgetown, where intensive development has already occurred and is continuing between K Street and M Street. Because it would be a waterfront park, traditionally the most popular type of urban recreation facility, it would be a particularly valuable recreation asset, not only for Georgetown, but for the whole National Capital Area. And since the area in question is a floodplain, its use for recreation would be highly beneficial in terms of wise land use.

Other favorable environmental impacts of the park would be that it would not roduce the air pollution, traffic congestion, and noise that would result from development of the land for commercial-residential purposes. These would be impoartant benefits in Georgetown, where all three of these problems are already serious.

These are the environmental impacts of the proposed park that I see—all of them beneficial. I see no adverse environmental impacts.

But it seems to me that there is a further step to be taken. As I understand the process of assessing environmental impact under the National Environmental Policy Act, it calls for consideration of alternatives to the proposed action. Thus I believe it appropriate and necessary to consider alternatives to the limited park proposed in the Memorandum of Agreement.

One clear alternative would be the utilization for park purposes of the entire Georgetown Waterfront from Key Bridge to Rock Creek and from K Street to the Potomac River. This would mean the elimination of the commercial-residential development proposed in the Memorandum of Agreement. For the following reasons, I strongly recommend adoption of this alternative:

The beneficial environmental impacts of the limited park cited above would apply in proportionately greater degree to the "complete park."

The larger park area would provide significantly more waterfront open space and recreation opportunities in an area where they are urgently needed. Since water-oriented recreation is so popular—witness the heavy use of Hains Point, West Potomac Park, the C & O Canal, and numerous examples in other cities—and since the supply of waterfront is by definition limited, it seems extremely shortsighted to plan for less than the maximum opportunity on the Georgetown Waterfront.

The construction of a large commercial-residential structure on the floodplain would be unwise and appears clearly to conflict with the Federal Executive Order and Acts of Congress aimed at preventing the location of such developments on floodplains.

In the National Urban Recreation Study published by the Department of the Interior in 1978 in response to Congressional mandate, Land Objective 2 states "Better utilize existing land and water resources for recreation." The study then cites as options for meeting this objective "Maximize protection of flood plain open space," "Maximize recreation opportunities and conserve existing recreation resources in coastal and river areas," and "Maximize recreation access to cleaned-up urban rivers." These are all sound courses of action that the Department itself would be wise to follow in connection with the Georgetown Waterfront.

The willingness of the District of Columbia Government to permit the proposed development on the floodplain would appear to stem from its desire to obtain additional tax revenue. This is a very short-sighted approach, since any gain in revenue would entail the sacrifice of a never-to-be-repeated opportunity to create an asset that would produce real and substantial benefits for its citizens in perpetuity.

It seems to me that the Memorandum of Agreement flies in the face of everything we have learned during the last 20 years about urban recreation and the use of floodplains. I strongly urge that an Environmental Impact Statement be prepared on the effects of the Memorandum of Agreement if it were to be implemented.

Sincerely,

LAWRENCE N. STEVENS.

U.S. SENATE,
Washington, D.C., November 20, 1979.

Mr. DAVID M. CHILDS,
Chairman, National Capital Planning Commission,
Washington, D.C.

DEAR MR. CHILDS: We regret that we cannot be present this evening to share our thoughts on the issues to be considered in the development of a park plan for the Georgetown Waterfront.

As you know, we have sponsored legislation in our respective bodies, S. 1495 in the Senate and H.R. 4947 in the House of Representatives, which provide the Commission with an alternative plan for parkland development along the Potomac River. We believe that it is imperative that any study of the park proposed by the terms of the Memorandum of Agreement recently signed by the National Capital Planning Commission include the alternative proposal of a total park at the Waterfront.

The commercial and residential development to be enclosed by the Waterfront park which is proposed by the Memorandum of Agreement will have substantial environmental impact upon the area. We urge the Commission to prepare an Environmental Impact Statement to assess the changes that will occur as a result of the significant federal action required to implement the Agreement. This should be carried out in a manner that includes a comparison of the environmental impact of an all-park development.

We are in the process of preparing a more detailed analysis of the issues involved in the Waterfront development and we are grateful that the Commission has agreed to keep the hearing record open for several days so that we, and others, can add to the data available for study by this board.

With kind regards and best wishes.

Sincerely,

MARK O. HATFIELD,
U.S. Senator.
FORTNEY H. STARK, JR.,
Member of Congress.

D.C. FEDERATION OF CIVIC ASSOCIATIONS, INC.,
Washington, D.C., November 20, 1979.

Mr. REGINALD W. GRIFFITH,
Executive Director, National Capital Planning Commission,
Washington, D.C.

DEAR MR. GRIFFITH: I would like to again state for the record that the Federation of Civic Associations supports the all-park use of the land on the Potomac riverfront from K Street south to the river, and from Rock Creek Park west to Key Bridge, as stated in our Resolution of July 27, 1979.

We feel that the interest of the residents of the District of Columbia is best served by a full recreational park on this land. The environmental problems inherent in a

major development of the six acres in question, i.e., the floodplain, further traffic congestion, air pollution, noise, the loss of historic and cultural values, are all resolved by the all-park use, while providing for the increasing need for additional recreational space in the city itself. This land on the Potomac riverfront at Georgetown offers a never-to-be regained opportunity for a citizens park of the dimensions necessary to provide a true recreational park. Moreover, the development of such a park in this location is in line with the new emphasis on the development of recreational opportunities along our nation's urban rivers.

On behalf of the Federation, I want to urge the preparation of a full Environmental Impact Statement for the proposed action, i.e., the commercial-retail-residential development of this land.

Very truly yours,

EVERETT W. SCOTT, *President.*

THE COMMISSION OF FINE ARTS,
Washington, D.C., November 20, 1979.

Mr. REGINALD W. GRIFFITH,
Executive Director, National Capital Planning Commission,
Washington, D.C.

DEAR MR. GRIFFITH: On behalf of the Commission of Fine Arts, I would like to make the following comments on the proposed park for the Georgetown waterfront that you solicited in your public notice dated October 25, 1979.

The Commission, as you know, has supported the development of the entire area south of K Street between Rock Creek Park and the Aqueduct Bridge as part of the National Park System. Such a park was recommended in the Commission's letter to Secretary Cecil Andrus on December 27, 1977. More recently, the Commission, at its meeting on October 23, 1979, endorsed legislation sponsored by Congressman Fortney Stark and Senator Mark Hatfield that would also provide for a park for the entire area recommended by the Commission.

The proposed park as defined for the purposes of this hearing is a comparatively restricted strip of land bordering the river's edge and averaging something less than 160 feet of width. The dimensions of this park proposal are too restrictive and do not afford an opportunity to adequately develop the aesthetic and recreational potentials that are present at this particular location on the river.

The area between Rock Creek Park and Wisconsin Avenue is the only area in this section of the waterfront that has space enough to accommodate significant recreational facilities. It is wide enough to allow the development of a major open space that would face directly down the river toward the monumental core of the city and its Memorial Bridge crossing of the Potomac. At the same time it would afford a major vista up the palisades of Virginia toward Key Bridge, one of the most handsome sections of natural river landscape in the entire Capital region.

For this reason, the Commission strongly recommends the presently proposed park boundaries be expanded to include all the lands south of K Street.

By so doing, a park can be created that will make a positive contribution to the Washington environment and fully take advantage of the scenic and recreational potential of this unique riverfront site in the Capital.

Sincerely yours,

J. CARTER BROWN, *Chairman.*

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., November 26, 1979.

Mr. REGINALD GRIFFITH,
Executive Director, National Capitol Planning Commission,
Washington, D.C.

DEAR MR. GRIFFITH: I wish to add my voice to those who are urging the National Capitol Planning Commission to prepare an Environmental Impact Statement in reference to proposed development of the Georgetown Waterfront.

There is no doubt in my mind that an EIS would be valuable in assessing the environmental impact that any development of the Georgetown Waterfront would bring about.

Thank you for your consideration of this request.
Sincerely,

MICHAEL D. BARNES.

DICKERSON, MD., *November 19, 1979.*

Mr. REGINALD GRIFFITH,
Executive Director, National Capitol Planning Commission,
Washington, D.C.

I am informed that pending before your Commission is a prospective development plan for the Georgetown waterfront between K Street and the Potomac River. In many earlier studies and surveys of this area its wealth of historical and cultural features have been thoroughly documented, as well summarized by Constance Werner Ramirez in Georgetown Waterfront, prepared for the National Park Service and Fine Arts Commission. Published accounts of the development plan do not appear to recognize these cultural and historical resources, and there is a notable lack of specific detail as well as a rather meagre provision of parkland in relation to such preservation. Given the importance of this area to the city, may I urge that your Commission examine carefully and in detail, and in a form available to the interested public, the full environmental impact of this development.

FREDERICK GUTHEIM, AICP.

WASHINGTON, D.C., *November 27, 1979.*

Mr. REGINALD GRIFFITH,
Executive Director, National Capitol Planning Commission,
Washington, D.C.

DEAR MR. GRIFFITH: As author of the Arthur D. Little, Inc. report on transportation planning in the District of Columbia, I feel traffic is a critical environmental issue in the Georgetown waterfront proposal. I urge the National Capital Planning Commission and the Department of the Interior to prepare a full environmental impact statement on the Georgetown waterfront proposal and its alternatives.

Traffic has been a serious problem in Georgetown as indicated in the Wallace-McHarg-Todd study, the 1970 Citizens Association of Georgetown study, and most recently the JHK study for the D.C. Department of Transportation. As the intensive development from M to K Streets is completed, it seems likely that K Street will be used increasingly as an alternative to M Street. Adding commercial and residential space with over 800 parking spaces south of K Street will only aggravate existing and future traffic problems. The alternatives of preventing further generation of traffic in this already overloaded area require a fine grained investigation in a full environmental impact statement.

Sincerely,

C. H. BROLEY.

NOVEMBER 28, 1979.

Re Meeting November 20, 1979, relative to the Georgetown Waterfront Park—Environmental Documentation.

Mr. REGINALD W. GRIFFITH,
Executive Director, National Capital Planning Commission,
Washington, D.C.

DEAR MR. GRIFFITH: If an acoustical analysis of the change in noise pollution were performed as part of an Environmental Impact Statement for the proposed development of three blocks on the south side of K Street between Rock Creek and 31st Street, N.W., it seems reasonably likely that the analysis will predict an increase in the day-night sound level (L_{dn} the energy-averaged equivalent level for 24 hours adjusted to include a 10dB penalty for noise exposures during the nighttime hours of 10:00 P.M. and 6:00 A.M.) in the blocks containing the proposed development and in the blocks on the north side of K Street N.W. facing the proposed development. This increase would be attributable to the confinement of highway noise between tall, continuously abutting buildings on either side of K Street in these blocks.

If the population in these blocks increases, the Level Weighted Population (LWP) will increase even if the L_{dn} is unchanged. The single event criteria, LWP for Sleep Disruption and LWP for Speech Interference, also will increase under the same conditions, and if the L_{dn} exceeds 70dB(A), the LWP for Hearing Loss Damage also

will increase. These are the measures currently used by the U.S. Environmental Protection Agency to measure the impact of community noise on resident population.

Sincerely,

MONES E. HAWLEY.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., November 29, 1979.

MR. REGINALD GRIFFITH,
Executive Director, National Capitol Planning Commission,
Washington, D.C.

DEAR MR. GRIFFITH: It has come to my attention that the Georgetown Waterfront Proposal is due for consideration. I hope that a full environment impact statement is issued before final decisions are made on the proposal.

Sincerely,

JOSEPH L. FISHER.

ALEXANDRIA, VA., *November 29, 1979.*

MR. REGINALD W. GRIFFITH,
Executive Director, National Captial Planning Commission,
Washington, D.C.

DEAR MR. GRIFFITH: I am writing to express my fervent hope that the National Capital Planning Commission will undertake a full-scale Environmental Impact Statement on the issue of the Georgetown waterfront.

The significance of this waterfront transcends by far its mere physical dimensions. It is the most historic portion of Georgetown, which in turn is the most historic portion of our Nation's Capital. Twenty years ago the Fine Arts Commission declared of the Georgetown community: "The residents of these historic houses with their adjoining gardens have made substantial investments to preserve the charm and distinguished character of this section. It represents an important movement in the preservation of our national heritage." To this day it remains a vital link in this heritage and merits treatment and consideration as such.

Of course the waterfront must change. But change should be designed to complement the historic character of the area, rather than conflict with it. In advance of the agreement signed by Secretary Andrus with the District government and private developers, the National Park Service had proposed that the Potomac waterfront be protected in federal ownership and made accessible as a parkland, and that a buffer zone be established along the C&O Canal, which it administers. This concept needs full examination, which the environmental impact process is uniquely qualified to provide.

The agreement does not constitute a final action. On the face of it, implementation may appear to be the expeditious course. If indeed it is valid it will stand the test of public scrutiny. The tradeoffs in values gained and lost, for the community, the District and the Nation, should be openly discussed and evaluated.

I look forward hopefully to the Commission conducting the EIS process and will appreciate being advised.

Sincerely,

MICHAEL FROME.

AMERICAN RIVERS CONSERVATION COUNCIL,
Washington, D.C., November 29, 1979.

REGINALD W. GRIFFITH,
Executive Director, National Capital Planning Commission,
Washington, D.C.

DEAR MR. GRIFFITH: The proposal for the development of a large building with a strip park along the Georgetown waterfront in the District of Columbia from Wisconsin Avenue to Rock Creek arouses serious floodplain management concerns. The President's Executive Order 11988 and current federal water and floodplain management policies are designed to eliminate unwise or unnecessary development in floodplain areas. Our nation has spent billions of taxpayer dollars in attempts to control flood damages to buildings and other properties located in places that are

predictably subject to destructive forces of flooding. Over the entire course of our "flood control" programs, flood damages have continued to rise at a rate that outpaces the increases in flood control expenditures. The reason for this is terribly simple. We have in the past encouraged the wrong kind of development of floodplains—the kind that places people, residences, businesses, and expensive property in the paths of floodwaters, instead of developing greenline parks and other public and private uses which can sustain periodic flooding without severe damage and public expense in disaster relief or reconstruction. Executive Order 11988 is designed to reverse this historic trend.

The District of Columbia is not exempt from that federal policy, and in fact, the Nation's Capitol should endeavor to provide an example to the rest of the nation on how federal policy should be carried out.

It certainly appears to us that an office and residential complex is not necessary at that site. There are other locations in the city that would benefit from such development. We might point out that these kinds of decisions would be facilitated if the city had a well-formulated, comprehensive land-use plan, which it does not, but that is another matter.

Senator Hatfield and Rep. Stark have each introduced legislation for a full park development on the riverfront land between Key Bridge and Rock Creek. This would provide a very practicable alternative to the development/strip park package under consideration. Such a park would constitute both a more sensible use of the Potomac River floodplain and a significant investment in recreation space and opportunities for District residents.

Since the proposal under consideration would certainly constitute a 'major federal action significantly affecting the human environment', and would preclude many future options for the use of this unique floodplain land area, we urge that an environmental impact statement be prepared that considers in detail the range of options available to the public, including the development of a full park on the site.

This is a critical juncture for Washington's waterfront. If ever sound, fully explored options were called for it is now. We will continue to follow this matter with interest. Thank you for holding the scoping hearings and seeking the public's input.

Sincerely yours,

DAVID CONRAD.

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